The Perpetual Promise of ASEAN. A Supply and Demand Analysis of the ASEAN Political Security Community.

Dissertation

zur

Erlangung des akademischen Grades

doctor rerum politicarum (Dr. rer. pol.)

der Wirtschafts- und Sozialwissenschaftlichen Fakultät der Universität Rostock

vorgelegt in Rostock am 26.10.2016, verteidigt in Rostock am 10.04.2017 von

Frederick Kliem, geb. am 10.01.1982 in Melle aus Gütersloh.

Erstgutachten: Prof. Dr. Jörn Dosch, Institut für Politik- und Verwaltungswissenschaften, Lehrstuhl für Internationale Politik und Entwicklungszusammenarbeit, Universität Rostock, Rostock, den 15.11.2016

Zweitgutachten: Prof. Dr. Howard Loewen, Institut für Politische Wissenschaft, Friedrich-Alexander-Universität Erlangen-Nürnberg, Erlangen, den 14.03.2017

urn:nbn:de:gbv:28-diss2018-0101-7

Abstract

This dissertation aims to provide a comprehensive analysis of two separate, yet interrelated subjects; ASEAN and constructivist scholarship in the study of it. The particular focus is on ASEAN's performance, its actorness, within the confines of the first pillar of the ASEAN Community, the ASEAN Political-Security Community (APSC). This takes place against the backdrop of a great number of academic analyses informed by constructivist research parameters and characterised by a remarkable optimism regarding ASEAN's agency in matters of security in the International Relations of the Asia-Pacific.

Specifically, this thesis questions the constructivist bias in perspectives on ASEAN's autonomous agency on the regional security canvas and intends to analyse ASEAN's tangible impact on and contribution to regional security against this optimistic analytical background. It inquires as to ASEAN's security actorness in the Asia-Pacific region and will try to reconcile empirical results and constructivist assessments. To that end, this research has devised a simple "demand and supply model" by which constructivist "demand" put forward is analysed and measured against the "supply" of ASEAN regional security actorness. The demand-supply balance is assessed with the help of three case studies of some of the most pressing security threats and issues facing Southeast Asia today.

This thesis finds that constructivist influenced perspectives are characterised by similar analytical weaknesses and just like the association itself, unduly credit ASEAN with remarkable ability to influence Asian security. Following a thorough assessment of both academic literature and ASEAN's tangible performance, this thesis comes to the conclusion that although ASEAN does play an important role in regional security, its degree of actorness misses optimistic expectations as well as ASEAN's own ambitions spectacularly. While acknowledging both the merits of ASEAN as an organisation and constructivist contributions, based on solid empirical evidence this research intends to induce a sense of realism back into the study of Southeast Asian security. Finally it shall be argued that the analytical framework of institutional realism is most appropriate to discuss ASEAN.

Acknowledgements

Planning, researching, thinking, and writing this thesis gave me previously unknown professional gratification. It was at times however a difficult, lonely, long, and sometimes tedious process that pushed me to my intellectual, physical, and mental limits. Without the great support of others none of this would have been possible and it is a great pleasure to thank them all, whether mentioned below or not.

First and foremost, I express my greatest gratitude to my mother. Not in a superficial sense but quite literally, for without her encouragement, support, and patience, I would have neither commenced this research project nor been able to bring it over the finishing line. She also ensured that I had no other things to worry about. All my work is therefore dedicated solely to her.

Secondly, I cannot thank my supervisor Prof. Dr. Jörn Dosch enough for his help and support. I am very lucky indeed to have been supervised by someone like him. Not only has Jörn tirelessly answered all my queries and problems, read and commented patiently and expertly on all proposals, ideas, and numerous drafts in spite of his very busy schedule. He has also advised me on my research in general and my career and has opened his wealth of knowledge as well as his professional network to my access. I am very proud to call him my friend.

I would also like to extend my special appreciation to my brother Jan Kliem at the German-Southeast Asian Center of Excellence for Public Policy and Good Governance at Thammasat University Bangkok. A political scientist himself, his valuable insights into the particularities of Southeast Asian politics have improved my thesis as much as his comments and proofreading. His friendship and support is without parallel.

I dearly thank the Konrad-Adenauer-Stiftung. Without their financial and moral support, I would not have been able to conduct my research the way I have. Even more importantly, their unparalleled international network has allowed me access to material resources and professional contacts in Southeast Asian political and academic circles that I would have not been able to access otherwise. My special thanks here goes to the Bangkok and the Singapore office and their staff.

I would like to profoundly thank my friend Dr. Nicholas Khoo, University of Otago, who is an expert on the International Relations of Asia. His valuable knowledge has not only improved this research, but also taught me much of what I know about IR ever since I first commenced my studies in 2007. A further great friend, Dr. Jatswan Sidhu at the University of Malaya has supported me personally and professionally and I am very grateful for this.

I extend my gratitude to the many research institutes and experts in Southeast Asia, the UK, the U.S., and Germany who have allowed me access to their resources and knowledge. There have been too many for individual listing, however my special thanks goes to the ISEAS in Singapore, their brilliant library and staff and in particular Dr. Tang Siew Mun and Dr. Ian Storey. The same gratitude is extended to the Singaporean RSIS and Dr. Ralf Emmers, who has helped me more than he will know. I have also particularly appreciated the resources at the American University in Washington D.C. and greatly thank Prof. Amitav Acharya for both his time and for unknowingly providing the incentive for my research in the first place.

My appreciation also goes to all interview partners for agreeing to grant me some of their precious time for a personal interview and/or replying to my questions via e-mail. There have been too many for individual mentioning, but I want to especially thank two people who have personally helped me most to understand the particularities of ASEAN, Dr. Mahathir Mohamad and Ambassador Bilahari Kausikan. Both are very busy people and yet, sacrificed more time for me than anyone could expect.

At the end however, it is exclusively me who is responsible for any mistakes and shortcomings, which I hope to be minimal.

Frequent Abbreviations

AC15	ASEAN Community; launched in 2015
ADMM	ASEAN Defence Ministers' Meeting
(ADMM+)	(incl. Australia, China, India, Japan, New Zealand, ROK, Russia, and U.S.)
AEC	ASEAN Economic Community
AHRD	ASEAN Human Rights Declaration
AICHR	ASEAN Intergovernmental Commission on Human Rights
AMM	ASEAN Ministerial Meeting
AMMTC	ASEAN Ministerial Meeting on Transnational Crime
AMS	ASEAN Member State(s) (all
(ASEAN10)	ten current members) (the
(o-AMS)	five founding AMS; incl. Brunei after 1984)
APSC	ASEAN Political-Security Community
ARF	ASEAN Regional Forum
ASCC	ASEAN Socio-Cultural Community
ASEAN	Association of Southeast Asian Nations
ASEAN-ISIS	ASEAN Institute of Strategic and International Studies
ASEC	ASEAN Secretariat
ASG	ASEAN Secretary General
CLMV (states)	The "new" AMS Cambodia, Laos, Myanmar, and Vietnam
CoC	Code of Conduct in the South China Sea
DoC	Declaration on the Conduct of Parties in the South China Sea
EAMMTC	Emergency ASEAN Ministerial Meeting on Transnational Crime Concerning Irregular Movement of Persons in Southeast Asia Region
EAS	East Asia Summit
EPG	ASEAN Eminent Persons Group
HLTF	High Level Task Force (to draft the ASEAN Charter)
HPA	Hanoi Plan of Action
HRM	Human Rights Mechanism
HRW	Human Rights Watch
ICJ	International Court of Justice
IMAMM	Informal Meeting of the Foreign Ministers of ASEAN

NTS	Non-traditional security
PCA	Permanent Court of Arbitration
SCS	South China Sea
SOMTC	Senior Officials Meeting on Transnational Crime
TAC	Treaty of Amity and Cooperation
UN	United Nations
UNCLOS	United Nations Convention on the Law of the Sea
UNHCR	United Nations Human Rights Commissioner for Refugees, UN Human Rights Agency
UNSC	United Nations Security Council

Table of Contents

1. Introduction

1.1. Background and Significance of this Study

The Association of Southeast Asian Nations (ASEAN) is certainly one of the finest case studies in regionalism. Owing to its extraordinarily heterogeneous membership, it is one of the most remarkable cooperative organisations in world history. ASEAN comprises a region larger than the European Union (EU) in both population and area and consists of currently ten sovereign nation states ranging from secular to strictly religious and authoritarian to democratic. The socio-economic development gap between the richest and poorest ASEAN Member State (AMS) is remarkable.[1]

It comes at no surprise then that plenty of academics have ploughed this research field tirelessly. Ideally, this would mean a thorough understanding of ASEAN, bringing conclusive results both theoretically sound and innovative, buttressed by thorough empirical analyses. There would be policy relevant research. However, at first glance, there appears to be a conflict between both ASEAN and academic rhetoric and reality on the ground. ASEAN's own self-perception and predominantly optimistic academic analyses are prima facie at odds with empirical observations in the region. Whereas the organisation ASEAN can be forgiven for its self-aggrandisement instead of critical self-reflection, academic analyses should be theoretically sound and innovative, supported by empirical evidence and candid evaluation. And yet, although they ideally ought to be pursuing different goals and remain on different analytical levels, the academic and ASEAN's self-appraisal are strikingly similar in their optimism and outlook. Both credit ASEAN with a high degree of autonomous agency in both the gritty business of day-to-day regional politics and in its ability to achieve its often very aspiring long term goals.

Ever since ASEAN's inception, much ink has been spilled by both observers and ASEAN itself on the association's norms, processes, values and an allegedly shared Southeast Asian identity, buttressing this ostensible community of nation states. The

[1] Chapter 2 will provide more detail on ASEAN's heterogeneity.

2003 Bali Concord II by which ASEAN for the first time articulated its ambition to embark on a formal, long term regional integration project, the ASEAN Community (AC15), inaugurated in 2015, has given greater impetus to such notions. In this endeavour, ASEAN has formulated plenty of ambitious principles, goals, and visions as well as roles for its institutions in order to meet those. By doing so, the association has set high targets for itself, which is at the same time courageous and perilous.

ASEAN's community rhetoric coincides with an ever increasing dominance of noticeable constructivist inclinations in ASEAN studies. The normative basis ASEAN has set in its integration endeavour corresponds well with constructivist analytical frameworks in International Relations (IR). Such inclined observers may see some of their paradigms confirmed in Southeast Asia by what they see as a set of individual states, bonded by a common regional identity based on a set of collectively shared norms and producing a community of nations. Indeed, it appears that an ever-increasing group of scholars in East- and Southeast Asian IR take ASEAN's self-appraisal at face value and see their constructivist informed analytical frameworks and research variables as confirmed, often without explicitly stating as much.

This school widely accepts that AMS have ostensibly embarked on a joint effort of regional integration based on a shared understanding of norms, values, and common goals. Apparently, Southeast Asia is home to a sound alternative model to EU-style regionalism more suitable to Asia's socio-cultural and historical context, a budding security community of shared values, and a more or less united regional actor.[2] Praise however does not stop at intramural cooperation and agency. Plenty of experts are not too shy to emphasise and reiterate ASEAN's ability to influence, in some cases even dictate the terms of wider East Asian relations.[3]

By any stretch of the imagination, sweeping claims are made by both academics and ASEAN. In sum, those claims allege a high degree of agency and a significant role of ASEAN, which I contend is characterised by two elements; (1) the tangible

---

[2] Acharya (2014); Haacke (2003); Kupchan (2010); Bellamy (2010); more critical but also positive Collins (2014).

[3] Eaton/Stubbs (2006); Sukma (2010); Ba (2006; 2009); Kang (2007); and for a more critical view Goh (2011; 2014).

dominance of constructivist reasoning, echoing ASEAN's self-perception and (2) a conspicuous lack of empirical support. Against the backdrop of the 2015 launch of AC15, a great number of contemporary security threats in Southeast Asia with questionable ASEAN involvement and lastly, a predominant constructivist orthodoxy in the analysis of ASEAN and Southeast Asian security,[4] this thesis is dedicated to precisely the conflict between rhetoric and action, or as I shall term it here, between ASEAN "demand and supply".

This thesis is at its very core both a critical appraisal of ASEAN's security performance, ASEAN's actorness quality in the first official pillar of AC15, the ASEAN Political-Security Community (APSC) and an equally critical appraisal of aforementioned academic analyses. Those I argue are informed by constructivist parameters to an extent that by now, a new sub-theory has emerged and established itself in the field. Henceforth, I shall categorise and term this new sub-theory as "Asia-constructivism". This new "breed" of Asia-constructivists has come to dominate the academic debate surrounding ASEAN security.

1.2. Argument, Methodology and Approach

The remainder of this introductory chapter shall now introduce, explain, and justify the selected research approach and introduce some critical concepts and research strategies. The puzzle that motivated my research and eventual writing of this thesis is the conflict between the "demand" by thus termed Asia-constructivists as well as by ASEAN itself and the "supply" the latter delivers. There are plenty of conspicuous conundrums prima facie suggesting that serious empirical case study results may be at odds with those optimistic perspectives on ASEAN agency, shared norms and values, identity and community. Cautious monitoring of regional relations raises the suspicion that ASEAN's principles, promoted by both perspectives, are more rhetoric than practice. This thesis focuses on conundrums arising from traditional and non-traditional security threats to ASEAN. Appreciating that regional relations are

[4] See Khoo (2004): 45.

manifold, consisting of more than one policy field, a security focus has been selected for two reasons. First, security has ever since its inauguration post-Konfrontasi been ASEAN's raison d'être and not coincidently is the APSC the first pillar of AC15. Second, it also represents the main concern in Asia-constructivist literature. Economics for instance is often entirely disregarded by Asia-constructivists. This is most curious as the economic pillar is perhaps the most recognised and widely publicised pillar and has certainly received great attention in different sectors of society. [5] Notwithstanding some noteworthy exceptions, [6] the socio-cultural integration of ASEAN does not receive much attention either, which is in itself striking as constructivist notions are closely embedded in sociological and cultural contexts. Hence, security threats are cogent cases and Southeast Asia certainly is a region where such challenges are aplenty. Ensuring a continuation of relative peace will be the central challenge for all stakeholders in Southeast Asia.

What this Thesis is not

Before mapping out how this thesis attempts to perform the above task, a few words about what it does not do. In spite of a thick theoretical element, the aim of this thesis is not to pitch one IR theory against another. It is not simplistic hypothesis testing for the sake of theory falsification. It is rather an attempt to spur modification of existing theory based on empirical observations.[7] It tries to be con- not destructive. The goal is not to discard Asia-constructivism per se, but to highlight the potential need – and indeed the opportunity currently at hand – to broaden the theoretical horizon. A future revised framework may well incorporate constructivist elements that may have some valuable aspects to add to holistic analyses in IR in general, but may need to be qualified by certain realist elements. Therefore, it is not primarily a question of whether Asia-constructivism has greater or lesser explanatory value than competing perspectives. Instead, it is an inquiry into the nature of the perceptible gap between theoretical expectations and rhetoric and empiricism. It is

---

[5] Dosch (2013; 2015; 2015b) for a great analysis of ASEAN's economic integration.
[6] Collins (2013; 2014).
[7] Mearsheimer/Walt (2013) have recently argued that theory falsification via empirical data collection has taken over contemporary IR for the worse. According to them, more consideration ought to be given to generating new and/or refining existing theory.

neither to discard theory, nor to produce a new one, but to lay the groundwork by finding out if ASEAN is or can live up to its own and academic ambitions and what this could mean for future research in the field. Moreover, although parts of this thesis highlight the linguistic harmony between Asia-constructivism and ASEAN rhetoric, it does not address the source of this harmonisation, while appreciating the work that has been done elsewhere on this. Indeed, the question whether ASEAN adopted rhetoric and Asia-constructivism jumped on the conceptual bandwagon, or vice versa as some have suggested, is reminiscent of the "chicken and egg" causality dilemma. [8] Instead, this study shows and accepts a rhetorical and conceptual commonality as it stands and proceeds from there with the inquiry as to the demand-supply gap. Fourthly, although the occasional reference to European integration will be made, this thesis is not an act of comparative regionalism. Naturally, being the largest, most significant, and most integrated case of institutionalised regionalism, the EU can serve as a valuable reference point. Yet, such references will not be more than brief annotations and shall be made only if doing so directly aids understanding of the matter at hand.

This thesis believes to have devised a unique analytical model in order to approach the study variable (SV) of ASEAN's security actorness.

Approach – Research Question

Within a case study framework of three empirical cases, this thesis will analyse ASEAN's role, its actorness, in regional security. Ultimately, it inquires as to the degree of ASEAN's relevance in meeting security requirements of the APSC, the

---

[8] As the reoccurring theme of this thesis, it will be demonstrated that Asia-constructivists often cite ASEAN declaratory language as evidence for constructivist hypotheses. At the same time, there is strong evidence of normatively biased academic influence on the drafting process. Some have suggested ASEAN devises language and engages in rhetorical promises in order to gain international recognition, while neo-realists ASEAN critics such as Jones/Smith (2007) deem the influence of academic networks on the political process in Southeast Asia as particularly high and deeply institutionalised and argue that in particular track 2 forums influence policy making in ASEAN. Simon (2010) has argued similarly, though less critically. Indeed, Asia-constructivists [Caballero-Anthony (2005)] also acknowledge the deep political impact of scholarship on ASEAN, in a strikingly institutionalised track 2 structure in the region. Others have argued that the success of the European Union served to some extent as a model, not necessarily to be copied, but to be leaned against. Hence, ASEAN rhetoric and tangible institutionalisation follows a European model of community and normative integration, Jetschke (2009), Jetschke/Murray (2015).

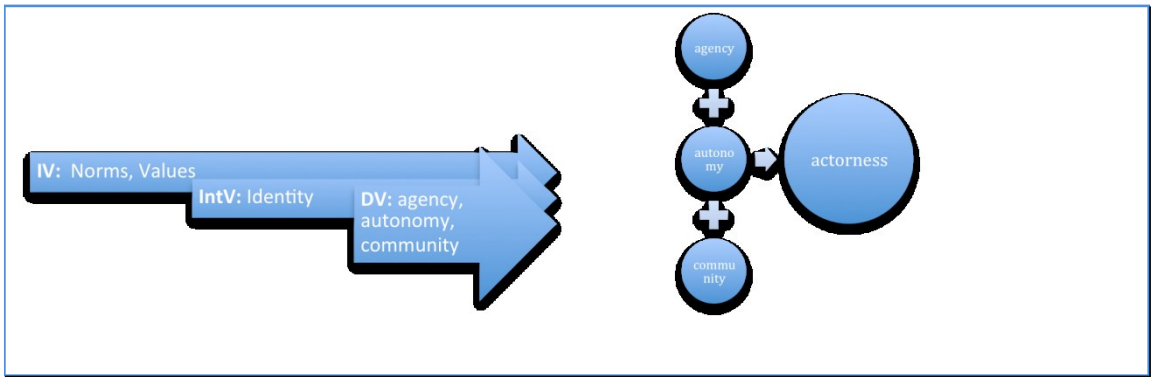
"supply", against the backdrop of optimistic, indeed ambitious "demand". I therefore propose the following principal research question:

How great is ASEAN's role in arbitrating, mitigating, and managing matters of regional security in the light of the high expectations it is subjected to?

In order to investigate this puzzle, I offer a research project based on juxtaposing the two fundamental components of "demand" and "supply" as this thesis' principle structural framework.

Demand

First, I will conduct a categorisation and in-depth analysis of what I have already termed Asia-constructivists. I intend to dissect this "new orthodoxy" of constructivism influenced regional scholarship and shall demonstrate both the traditional constructivist roots of those dominant perspectives on ASEAN and just how closely related they are to ASEAN's own self-appraisal. I posit that Asia-constructivists often presuppose the presence of shared norms and values, the independent variable (IV), facilitating the intervening variable (IntV) of a shared identity, generating a number of dependent variables (DV) such as a high degree of ASEAN agency, autonomy, and community. Those three components make up what I



will refer to as ASEAN's "actorness". ASEAN itself has given impetus and in a plethora of documents, treaties, and declarations raised the "demand bar" significantly. All the way from its inception in 1967 to the latest document this thesis can take into account, Vision 2025, published in 2015, have clearly mapped out the route for ASEAN to become not just a tightly integrated security community with shared goals and identity, but also to play a lead role in the wider regional security architecture.

This dual body of academic literature and political rhetoric makes up what I shall refer to as the "demand side".

Supply

A heavy load of expectations has been put on ASEAN's shoulders. The juxtaposed second structural pillar of supply is the logical follow up question to the demand pillar; whether or not ASEAN is sufficiently capable, willing, and delivering. From this starting point, I attempt to assess the supply side with the help of three detailed case studies located within regional security. All three studies examine post-ASEAN Charter (2007/8) security events and threats and thus, all take place under the condition of a codified legal institutional framework. Guided by its own case specific research question, each study shall investigate ASEAN involvement and in their sum, shed light on the actual degree of ASEAN overall security actorness. Hence, each case study is an appraisal of the individually incomplete parts that make up the overall sum of ASEAN security actorness. This assessment will illuminate the degree of ASEAN relevance to its members' security calculations, whether or not existential regional security challenges can elicit result-oriented, ASEAN-centred multilateral responses and will clarify the effectiveness of intra-ASEAN cooperation in the light of the APSC. Secondly, results may have significant ramifications for the analytical weight of Asia-constructivism. In their sum, I expect each case study analysis and the subsequent final assessment to conclusively answer the principle research question.

Main assumptions and Hypotheses
1. Asia-constructivism's inherent normative bias obscures empiricism in favour of thick phenomena description makes assessments regarding ASEAN's actorness overly optimistic.
2. ASEAN Community rhetoric is similarly optimistic.
3. In reality, ASEAN is not a credible security actor and makes no contribution to intra- and extramural Asian security.
4. Hence, the optimistic demands are not met.

Before I set out to answer the research question, I posit a number of pre-analytical hypotheses.

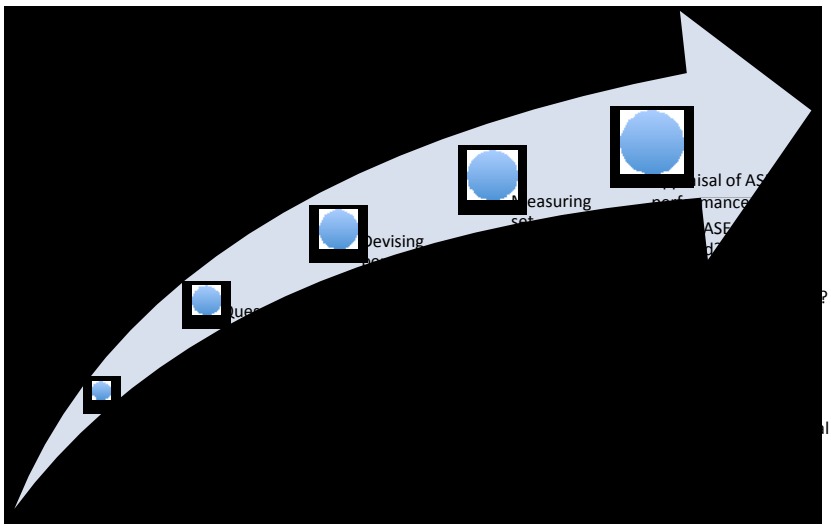
Approach – Case Study Design, Benchmarking, and Data Collection

This aim suggests a bottom-up research approach that in epistemological terms, as most qualitative research, utilises both deductive and inductive logic in order to reach a conclusion as to this thesis' study variable of ASEAN's actorness. Consistent with inductive reasoning, the argument is triggered by initial observations. On the most rudimentary level, one can assess a theory by asking whether or not empirical evidence suggests confirmation or infirmation of the theory.[9] Once the scrutinised theory's variables, hypotheses, and expectations have been laid out, one can infer what observations a case study should produce if the theory is valid and what observations if it false. In other words, the influence of the IVs on the DVs should be traceable and observable. Therefore, once Asia-constructivist and ASEAN's own expectations and predictions, the demand, have been laid out, I intend to formulate several qualitative benchmarks and subordinate key performance indicators (KPIs) in order to provide a verifiable and coherent instrument to measure whether or not ASEAN supply meets demand. This subtraction of particular expectations and predictions from ASEAN itself and Asia-constructivist informed analyses in order to devise benchmarks on the demand side is a deductive process, though. Hence, an initial deductive logic informs a largely inductive research process.

Once the supply side data, ASEAN action, has been gathered in each case study, the aim is to try to reconcile demand and supply and assess whether or not ASEAN meets benchmarks, measured in KPIs. Eventually, the knowledge thus acquired shall be used to draw conclusions on both ASEAN's realistic actorness and Asia-constructivist theory. This thesis' approach should not be confused with approaches such as grounded theory, for the basic point of departure is not the lack of theory as such but rather the apparent dissonance between rhetoric, dominant theory and preliminary empirical observation as well as lack of reliable empirical data to evaluate existing hypotheses and ASEAN's own ambitions. The inductive process of gathering high-quality data and subsequent analysis within a case study framework may uncover previously unidentified antecedent conditions, such as predominance

[9] Van Evra (1997) for weak vs. strong theory testing in political science.

of narrowly defined national interest or bilateral security alliances prevailing over ASEAN-led multilateralism. If so, this may possibly suggest modification of theory, such as the need to add conditioning variables (CV), in order to account for antecedent conditions not recognised previously. The supply-demand dichotomy as structure, supplemented by the analytical framework of qualitative benchmarking enables an effective appraisal of both dominant theory and ASEAN as an organisation. This serves to induce a potentially required dose of pragmatism into Southeast Asian studies, the absence of which prompted this research question in the first place.



Making the Case for Benchmarking

Naturally the question is how the SV, ASEAN supply, its security performance, can be measured against the demand side. I offer a qualitative benchmarking model as the major analytical tool. I have already raised the argument that the APSC is the most significant of the three AC15 pillars. At the very least, they should be seen as of horizontal, not vertical hierarchy. Yet, receiving most attention is the ASEAN Economic Community (AEC) pillar and the progress – or lack thereof – in the single market or movement of labour and such vital issues. Perhaps the reason for this greater attention is that the AEC is the only of the three pillars for which clear benchmarks exist. The official AEC scorecard allows for fairly straightforward,

quantitative progress tracking.[10] Unfortunately, no such scorecard exists for the ASEAN Political-Security Community (APSC) and thus, this thesis must take the liberty of devising its own benchmarks. Naturally, in the field of security, quantitative benchmarking is not sufficient, while qualitative benchmarking may be less objective or verifiable as is possible in the AEC. Labour movement, reduction of trade barriers, etc. are quantitatively measurable variables, but pro- or regress in political and security integration and actorness must to a large extent rely on qualitative research and reasoning. Nonetheless, any appraisal of ASEAN, whether it has lived-up to or failed ambitions and expectations requires certain yardsticks, or benchmarks against which it can be tested and judged. In order to achieve the greatest achievable objective quality in my benchmarking approach, I claim to have devised benchmarks according to three principles. First, each benchmark originates from no other source than Asia-constructivist assertions and ASEAN declarations, treaties, roadmaps, and ASEAN's fundamental legal body, the Charter. The benchmark's origins are therefore traceable, objective, and of greatest possible universality. Second, therefore, benchmarks are not subject to confirmation bias and thirdly, each benchmark I have applied case specifically is also of broader validity within an ASEAN security context. Whether benchmarks are met or not shall be determined by the degree to which ASEAN performance has satisfied specific key performance indicators (KPIs). Benchmarks can be met, partially met, largely failed, and failed.

Although applied to the specific test cases, each benchmark refers to broader concepts such as centrality, norm diffusion, or Southeast Asian identity and is thus applicable to other security related test cases within the APSC. Case study 3 for instance has set the benchmark of intramural norm diffusion, a key concept in Asia-constructivist analyses, and applied key performance indicators (KPIs) specific to the case of the Rohingya refugees and human rights. The demand derives from sources such as the APSC blueprint and the Charter as well as Asia-constructivist literature not necessarily directly related to the Rohingya in Myanmar. It is therefore possible to apply the same benchmark to different cases. So could for instance the ability of

[10] Although Dosch (2015): 93ff has highlighted the problems of limited reliability of the AEC scorecard mechanism.

ASEAN to ignite and facilitate norm diffusion, derived from the same sources, be tested by looking at Indonesian efforts to introduce and spread democratisation across Southeast Asia. One could for instance consider Indonesia's role as the democratic norm entrepreneur, ASEAN as the facilitating forum, and non-democratic AMS as the norm recipients. The benchmarks are thus of more universal validity. Indeed, I propose that this approach in general could gain foothold as an analytical framework across a range of areas in the wider field of political science.

Cases	**1. SCS**		**2. Thailand-Cambodia**		**3. Rohingya**		
Benchmarks	Cohesiveness; Convening Power; Competence Power		Dependable expectations of peaceful change; Identity; Conflict mediation		Intramural norm diffusion; Governance capacity		
Sample KPIs	Ability to act as a unit; Ability to socialise; Great power investment into ASEAN		Absence of violence; Consideration of regional good; ASEAN ability to provide good offices		Penetration of norm-entrepreneurs; ASEAN ability to affect norm adherence		
General Applicability of Benchmarks – sample alternative test cases							
Cohesiveness	Convening Power	Competence Power	Dependable expectations of peaceful change	Identity	Conflict mediation	Intramural norm diffusion	Governance capacity
Negotiations on free-trade agreements such as the EU-ASEAN FTA	Convene major power in AEC related forums	Socialise extramural actors into ASEAN trade norms and preference, e.g. in TPP negotiations	Intramural arms-race	Rhetoric in Malaysia-Singapore relations, e.g. in Lee and Mahathir years	SCS disputes among AMS claimants	Democratisation	Haze phenomenon

In sum, I propose approaching the research question by deriving general benchmarks from the two sources that make up the demand side of concern here, ASEAN's own rhetoric and self-appraisal and Asia-constructivists analyses. Each case study will commence with a case specific review of relevant ASEAN documents, declarations, and statements across the entire range of the APSC and

Meeting Benchmarks			
1. Met	**2. Partially met**	**3. Largely failed**	**4. Not met**
Met critical KPIs	Met some KPIs while missing others	Failed critical KPIs but some minor achievements observable	Failed critical KPIs

even beyond. This will be followed by a similar review of relevant Asia-constructivist literature. This demand side summary allows us subsequently to derive a set of critical case specific benchmarks against which ASEAN's performance can be assessed. In order to declare those benchmarks met or failed, each is furnished with a sub-set of KPIs. For instance, Asia-constructivists assertions of ASEAN's institutional and procedural frameworks allowing it to create intersubjective understandings of acceptable norms of behaviour and socialise actors into acceptance should be observable in regional security practice. Norm adherence can be tested by empirical analysis of state conduct in regional relations. Once benchmarks and KPIs have been devised, set, and their validity accurately justified, empirical observation of case specific ASEAN action, involvement and success or otherwise will take place. Empirical results shall then be reconciled with specified KPIs for each individual benchmark. This allows for a workable, accurate, and scientifically sound framework of analysis.

The Cases

	Case	Characterisation, Concern and Inquiry
1.	ASEAN and China. Territorial disputes in the South China Sea	- Territorial/jurisdictional disputes; traditional security; extramural. - ASEAN centrality, really central or sidelined in the wider East Asian security? - ASEAN cohesiveness; its convening-; and its competence power.
2.	Thai-Cambodian border conflict 2008 - 2011	- Territorial dispute; traditional security; intramural. - Is ASEAN a (security) community? - ASEAN as a security community; with shared identity.
3.	2015 Rohingya refugee crisis	- Irregular migration; non-traditional security; intramural. - Is ASEAN capable of spreading and enforcing norms in order to realise its values and principles? - Institutional effectiveness, commitment to principles and norms.

1. ASEAN and China in the South China Sea – ASEAN Central or Sidelined?

The empirical discussion will commence with a look at the concept of ASEAN centrality. Centrality is key to ASEAN's engagement with the wider East Asian region

and the association continuous to insist on centrality being the fulcrum of its external engagement. It is also one of the fundamental building blocks of the APSC and correspondingly, a predominant element in Asia-constructivist analyses. Effectively, centrality is the key to ASEAN's external security actorness. This specific case is without comparable alternative. Centrality in wider East Asian affairs is manifold and includes the economic and other realms, but in strict security terms, as is our concern, there is no conceivable, contemporary alternative to the troubles ASEAN faces in its relations with China over the South China Sea (SCS). Contemporary security relations and dynamics unfolding between a number of AMS and China in the SCS are as complex and tense as they are revealing. With the help of a detailed analysis of events and actions by China, AMS, and ASEAN, this study substantially aids exploration of ASEAN actorness in an approach towards the overall research question of this thesis. It explores the degree of ASEAN ability to remain united and affect change in the face of an extramural security threat. We will find out whether China has embraced ASEAN as the centre of regional security architecture, the extent to which ASEAN can be cohesive as a prerequisite to the ability to pacify and socialise an external, more powerful actor.

This takes place under the guidance of the following case specific research question:

> *Can the notion of ASEAN centrality in the wider regional security architecture be substantiated and upheld in practice?*

This case study greatly enhances our understanding and allows an assessment of common or individual responses to what is a common security threat. No serious assessment of ASEAN's security actorness can justifiably exclude the maritime domain. The SCS disputes can safely be assumed to be of great interests to the majority of AMS and by extension ASEAN itself. Threats and interests are often prone to subjective perception. Territorial integrity however, can be regarded as a general interest of all sovereign nation states and their people and are thus, independent from many interfering variables such as regime type or short-term policies. Selecting a territorial issue is therefore likely to insolate the research variables. At the very least, all ASEAN's littoral states intend to maintain control of their EEZs, their fisheries, and hydrocarbon resources exploitation. Rizal Sukma et.al.

have argued that the maritime space is absolutely pivotal to most Asian states' revenue and tensions have risen significantly over recent years owing to a greater competition for resources and increasing concerns over continuous flow of energy imports.[11] As a result, if not constraint by multilateral bargains, states could be tempted to regard the SCS as an arena of zero-sum politics and resort to unilateral self-help in order to protect key interests, risking a potential security dilemma. At the 2015 Shangri-La Dialogue Malaysia's Minister for Defence Hussein claimed that the SCS conflict could '*escalate into one of the deadliest conflicts of our time*'.[12] This may have been said for effect, but even without subscribing to Hussein's dramatic assessment the SCS does present one of the most serious security threats in the Asia-Pacific in general. Additionally, territorial and resource claims and interests are usually clearly and publicly articulated as most claimants have an interest to settle matters of such importance either by international arbitration, public diplomacy, or military means, none of which takes place covertly. Sources are therefore plentiful which significantly assists research.

Competition in the SCS, whether combative or cooperative, will continue to feature prominently in the region's security discourse for years to come. It is indicative of the region's emerging great power's (China) future foreign policy intent, apparently increasing both its military capabilities and its territorial assertiveness. But more critical here, indicative of ASEAN's ability to be in the "driver's seat" of East Asian security.

2. The "SC" in the APSC – The Thai-Cambodian Conflict and the ASEAN Security Community.

This second case study will turn attention inside. It shall assess the substance of the so called ASEAN security community. Asia-constructivists have widely looked at ASEAN's evolution towards a sound security community, based on a shared Southeast Asia identity. ASEAN has also declared itself as such. In fact, the ASEAN

---

[11] Sukma et.al. (2015).

[12] *Channel News Asia* (30 May 2015): South China Sea could be 'deadliest conflict of our time': Malaysia defence chief.

Political-Security Community is neither coincidentally named, nor coincidently the first pillar of AC15. Intramural security is and has always been ASEAN's very raison d'être. This case study therefore asks whether ASEAN has security and whether it is a community. To that end, I offer the following case specific research question:

> *Does the APSC sufficiently satisfy the demands of the security community concept to warrant the name APSC?*

Several cases could have justifiably been chosen to approach this question and analyse the substance of the ASEAN security community. There is for instance the increasing militarisation, perhaps arms racing, [13] or the perpetual antagonism between Malaysia and Singapore. However, the first one could be criticised on the basis of causality, the second has been done many times before and it would indeed, as Khoo has pointed out, be "stacking the deck" against the ASEAN security community due to the long and very particular Malaysia-Singapore relationship.[14] The list goes on but all things considered, the Thai-Cambodia conflict is a valuable and justifiable case study. First, although the least contemporary case considered in this thesis, the 2008 - 2011 conflict is still very much up to date and occurred both post-Charter and at a time when community building was well underway. Second, because of confirmed military engagement between two AMS, including several battle related deaths and displacements, it can justifiably be considered a matter of concern for the APSC. This case study will aid our understanding of ASEAN's security actorness greatly by addressing the two critical question of whether ASEAN has security, or is indeed a community. By doing so, it represents a great test of ASEAN's credibility to be the vanguard of intramural peace and stability, the institutional facilitator of the Southeast Asian security community. It challenges the very quintessence of the APSC, indeed ASEAN's raison d'être of being a no-war community. ASEAN performance in this case will greatly aid our understanding of the association's security relevance.

---

[13] Bitzinger (2007; 2010).
[14] Khoo (2015): 188.

3. The Rohingya Refugee Crisis – Norm Diffusion and Effective Governance.

The third and final case study will tackle an intramural non-traditional security (NTS) threat. A in that extent unprecedented NTS threat arose for ASEAN in 2015 in form of a refugee crisis concerning the Rohingya Muslim minority predominantly originating in Rakhine State, Myanmar. As far as NTS is concerned, there are a number of alternatives that could have been chosen, such as the haze phenomenon, but I consider the Rohingya refugee crisis is of particularly high analytical value. First and foremost, it cannot reasonably be called an exclusively domestic, Burmese affair for at least three additional AMS (Thailand, Malaysia, Indonesia) are directly affected as the intended destination countries. The plight of the Rohingya is a transnational matter and will continue to pose a threat to countries other than Myanmar alone. While the cause of the exodus may be domestic, its impact is not. Secondly, this crisis particularly stands out in its severity of human suffering, not comparable to the haze problem or most transnational crime. ASEAN has definitively emphasised the importance of human rights as well as NTS in general and also located it firmly within the jurisdiction of the APSC. In particular in Asia human rights are a contested concept, but no matter what definition of human rights is applied or what exactly counts as a human right, the suffering of the Rohingya cannot justifiably be excluded. Hence, in addition to the substantial normative dimension, ASEAN's quality as a norm diffusion forum, this issue is a great test for ASEAN's ability to affect positive outcomes in matters of regional NTS in line with its own principles. In particular due to the substantial global attention paid to the Rohingya refugee crisis, it also presents a unique chance for ASEAN to prove its relevance.

I propose that we seek an answer to the following case specific research question

> *Have human rights norms been diffused and internalised across ASEAN and translated into sufficient governance capacity for ASEAN to act meaningfully in events of human rights crises?*

Data-Collection

Overall, this research is based predominantly on collection and interpretation of qualitative data, gathered by extensive primary and secondary research. Though

beginning in 2014, the bulk of primary research, including archival work, elite interviews, and conference participation, was conducted between November 2015 – February 2016 in Singapore, Bangkok, Kuala Lumpur, and Jakarta. Extensive secondary research included academic literature and suitable media outlets. Due to limitations of feasibility, this research cannot account for developments or publications after May 2016.

Research input on the demand side originates from two main sources, traditional constructivist and Asia-constructivist literature and second, official and semi-official ASEAN publications. For the former I set out by extensively reviewing existing general constructivist and ASEAN specific literature, in particular as it relates to security and subsequently, devised the category of Asia-constructivism. Selected literature that could be classified as both relating to ASEAN security and relying and expanding on traditional constructivism was added to that category and scrutinised for research variables and main arguments. ASEAN publications on the other hand is a body of information consisting of all sources that can justifiably be regarded as representative of the organisations' elites perspectives, officially sanctioned statements relating to various ASEAN meetings as well as legal treaties and regimes, such as the Charter or the TAC. However, wherever appropriate, semi-official statements made by ASEAN elites relating to the APSC in the media, academic journals, and personal interviews may be referenced. In their sum, those two input sources make up the demand side and were used to set the benchmarks for the case studies.

On the supply side, the empirical case studies, this research gathered data with the help of quantitative tools (e.g. gathering military statistics, refugee movement etc.) but relied predominantly on qualitative tools in a triangulation of four distinct input sources. First, extensive survey of media publications from inside and outside the region and across the entire political spectrum covering events around the particular case studies provided a great general overview. Second, secondary research was also conducted with the help of academic publications, surveys and polls. The literature situation in all three cases is fairly solid. Much has been written on the SCS disputes and all claims have been thoroughly mapped and detailed. The Rohingya crisis is well

documented by both ASEAN (in particular the meetings and special summits) and a great number of international NGOs and organisations (HRW, Amnesty, UNHCR) and more specialised local ones (Fortify Rights, Forum-Asia, etc.). The issue of the Thai-Cambodian border conflict posed the greatest challenge in terms of resource availability. Due to the sensitivity of the issue, research was impeded by low governmental transparency. However, in particular thanks to interviews and off-the-record conversations in Bangkok and Singapore, I have been able to gather sufficient information. Moreover, since Cambodia began to internationalise its conflict with Thailand more information has become available. On the other hand, this topic remains the most under researched of the three case studies and is thus, particularly well suited to contribute to both a unique argument and the general study of Southeast Asian IR.

In particular case study 1 and 2 consulted quantitative data relating to military statistics, mostly obtained from the Stockholm International Peace Research Institute (SIPRI), International Institute for Strategic Studies (IISS) as well as governmental websites and specialised military publishing houses such as Jane's Information Group. All of this was substantiated by a total of 24 elite interviews, off-the-record conversations, and numerous conference attendances, mostly in Southeast Asia, but also in Washington D.C. and London. Those were conducted with various experts, diplomats from a number of both ASEAN and non-ASEAN countries, Supreme Court judges, and current and past policymakers. Fortunately, I could gain access to an elite network and had access to a great number of academics and academic publication in the region, facilitating personal interviews, secondary research, as well as participation in various conferences and workshops in Southeast Asia, mostly at the Institute of Southeast Asian Studies (ISEAS) and the S. Rajaratnam School of International Studies (RSIS) in Singapore. Fourthly, during field research in Southeast Asia, I was able to conduct extensive archival research and access original ASEAN documents.

Conclusion, Contribution, and an Appreciation of Critical Input

With the help of those three case studies, this thesis hopes to uncover evidence that enables a fair, critical assessment of its SV. The demand and supply dichotomy will

allow a fair appraisal of ASEAN's security actorness, its attitude, role, and ability to influence regional security within its area of jurisdiction and thus, shed light on the substance of the APSC. At the same time, the optimistic perspectives on ASEAN, dominating both ASEAN's own as well as Asia-constructivist discourse, can be evaluated.

This thesis detects a great disparity between empirical case study results and expectations, between demand and supply. I arrive at the conclusion that ASEAN does indeed have a role to play in regional security, yet, supply does not even come close to meeting the demand side. The APSC is not only AC15's first pillar, but also the one where it is most visible that disunion rather than solidarity, national self-interest rather than the common regional good, often at the expense of value commitments, determines policy choices. Or as Robert Kaplan puts it *'[w]hile the language at Asian summits will be soft, the deployment of warships […] will be hard.'*[15] In other words, in its current form, the APSC is a rhetorical success but a security political basket case. Yet, ASEAN is not superfluous in regional security and Southeast Asia would indeed be less secure without ASEAN. I shall argue that ASEAN cannot in the foreseeable future enhance its security actorness via institutional reform, such as introducing supranational elements. Instead, I suggest not increasing the supply potential by structural institutional change in ASEAN, but by lowering the bar on the demand side. ASEAN supplies useful, indeed necessary avenues for regional dialogue and cooperation. Albeit missing the demand spectacularly, ASEAN's strengths rest in its function as the region's confidence builder, its ideational yardstick as well as its convening power, manifest in its ability to convene relevant intra- and extramural actors and facilitate dialogue and confidence building that would be absent otherwise. Most importantly, ASEAN is a useful intramural elite networking facility. ASEAN is a compass to navigate the intricacies of regional relations. There is merit in process.

I further contend that the widespread, sometimes implicit acceptance of both ASEAN's actorness – drawing its strength from factors such as regional identity – and

---

[15] Kaplan (2014): 16.

thus, intra- and extramural security significance is both highly unrealistic and inauspicious to the study of IR in the Asia-Pacific. Although by no means a unitary approach, Asia-constructivist analyses often evince similar weaknesses, seemingly prioritising ideology over empirical analysis and often utilise dead-end arguments whereby alternative approaches are universally declared obsolete or helplessly Eurocentric. They often get caught up in epistemological debates without sound analyses of praxis. Albeit making rather sweeping claims, studies are often based on questionable independent variables, such as collectively shared norms, rely on selective evidence, eschew serious hypotheses testing, and often echo ASEAN rhetoric.

The value added of this thesis is therefore both practical and theoretical. It is born out of protest over the unsatisfactory explanatory value of ideologically predisposed theory and motivated by an apparent contradiction of ASEAN's self-perception, mainstream literature, and observations of the political status quo. Trying to fill this gap, this research's contribution to Southeast Asian IR hopes to be twofold. One is theoretical, i.e. a categorisation of what I have termed Asia-constructivism and a subsequent assessment of this school of thought's merits and limitations. The other contribution is empirical, i.e. ASEAN's agency in specific matters of regional security from which general conclusions for the APSC are drawn. Hitherto, contemporary literature lacks detailed, up-to-date evidence of specific security threats against the backdrop of a critical appraisal of ASEAN based security regionalism. This thesis will therefore deconstruct Asia-constructivists' main assumptions and by doing so, pose the hitherto most comprehensive and most systematic challenge to constructivist biased analyses of ASEAN security. This challenge is based on solid and up-to-date empirical evidence.

On the theoretical level, critics may ask why a strongly supported theory in Southeast Asian IR would be a problem. Asia-constructivists at least keep the debate alive. If only realist perspectives were to be applied, any analysis of ASEAN's actorness would be a foregone conclusion. But a consequence may be a qualification or modification of dominant theory and its framing variables. Although some authors have taken issue with the robustness of constructivist theory as applied to Asia

before, [16] criticism remains mainly on a theoretical level, equally disregarding contemporary, empirical political practice in the region. At the same time, while Asia-constructivists have made attempts to empirically verify their assumptions,[17] they apply selective evidence from dated cases, strongly suggesting ideological predisposition. This study is able to prove that the reasons for the near academic consensus are to be found in inadequate reasoning and unduly selective evidence, and ideological predisposition. A modification of theory is necessary and capable of significantly advancing ASEAN studies. Plenty of further theoretical research ought to modify and reconcile Asia-constructivism, perhaps even produce new theory. Research ought to begin with a thin description of ASEAN, based on solid testable evidence not ideological predisposition.

Criticism of this specific research design is likely to be epistemological. The greatest attack on my approach I expect to be made in form of critique of my major analytical tool of qualitative benchmarking. The question how the SV of ASEAN supply can be measured against the demand side is indeed justified, but has been answered above. Criticism may also concentrate on the efficacy of case studies and on the pitfalls of inductive logic. For instance, how can this research circumvent the perils of oversimplification and –generalisation? It may be guilty of overgeneralisation if conclusions drawn from the study of security challenges only are assumed to be of universal relevance for ASEAN. What about the economics or socio-cultural value of ASEAN? Yet, this thesis specifically analyses the security pillar of the AC15 project, not least because the value of the economic pillar has been analysed sufficiently elsewhere.[18] Nor do I claim universal applicability of my findings across all pillars. Critics may then raise objection to the arguably narrow focus on security and thus, touch rather sensitive issues of national sovereignty, which is of particular importance in post-colonial Southeast Asia where governments and their publics often evince a strong sense of nationalism. In other words, I may be guilty of a confirmation bias, even “stacking the deck” against ASEAN. However, tough cases

[16] Tan (2006); Khoo (2004).
[17] Acharya (2014); Ba (2010); Caballero-Anthony (2005).
[18] Dosch (2013; 2015).

are the best test of claims made only by Asia-constructivists and ASEAN itself. Those proclamations of ASEAN relevance claim to be of universal validity and specifically include sensitive matters of security. Security is also the predominant and unifying subject of inquiry of Asia-constructivists. Additionally, the pursuit of regional resilience and security has always been the driver of ASEAN integration and alongside sovereignty, continues to be both the greatest obstacle and facilitator of regional initiative at the same time. Again, the APSC is not by coincidence the fundamental and indeed first pillar of AC15. Thus, security must be subject of inquiry in this thesis.

I also appreciate that case studies in political science will rarely be as precise as in natural science for example. The issue, however, is not the weakness of case studies, but the nature of the discipline itself, often depending on qualitative analysis of complex, non-static and often and erratic data, and capricious events. In order to mitigate the risk of undue generalisation, the number of cases has been extended to three, including both traditional and non-traditional security challenges across the widest possible range of issues.

Convinced falsificationists may argue that should my data analysis show Asia-constructivist reasoning to be inadequate, the theory becomes obsolete and I must propose new theory. However, this absolutism is as dogmatic parochial as the ideological predisposition of constructivist scholars, prompting my research question in the first place. I suggest that infirming and entire theory as a result of failed hypotheses testing may be too radical. Instead, the inductive process as suggested may identify previously unknown antecedent conditions, eliciting further future research efforts to reframe rather than discard theory in order to appropriately account for the failed tests.[19] This thesis may provide the impetus and lay the groundwork.

Critics may also ask whether it is at all important whether security issues are resolved by virtue of a collective ASEAN approach or bilateral hedging strategies, involving internal balancing mechanisms and external security guarantees. Why does

---

[19] Mearsheimer/Walt (2013).

it matter if ASEAN and Asia-constructivists can or cannot live up to their rhetoric? After all, ASEAN has existed for nearly four decades and all AMS are arguably better off now then they were in the 1960s. The answer is that it matters a lot as plenty of harm can arise from unchallenged optimistic consensus. In particular in a region were a distinction between academia and policy making is oftentimes blurred. Should optimistic accounts of ASEAN's actorness turn out to be unwarranted and should it emerge that ASEAN's role in the regional security theatre is minimal or non-existent, ASEAN may have to undergo a serious restructuring process in order to live up to its promises. Thus, this research might have clear policy implications.

The quest to construct AC15 has become a great distraction for ASEAN in the face of manifold, serious challenges in the Asia-Pacific. For instance, in the light of the U.S. rebalancing to Asia and an ever more assertive Chinese government, stability in the Asia-Pacific is far from certain. In 2013 the commander of the U.S. Pacific Command Admiral Locklear explained the regional significance in few, but accurate words

> *The Indo-Asia-Pacific is the most militarized area in the world, containing seven of the world's ten largest standing militaries, the world's largest and most sophisticated navies, and five of the world's declared nuclear nations. This area also contains five of the United States' seven treaty allies, the three largest economies in the world […] It has nine of the world's ten largest ports and the busiest sea lanes in the world*.[20]

ASEAN has an incredible potential and significant role to play in East Asia. However, if ASEAN and academics continue to declare ASEAN a universal success ignoring its real impact on the security canvas, an illusion may retard potentially necessary reforms. A weak ASEAN faces the danger of being ignored by both its own members and major powers amid a restructuring of the East- and Southeast Asian regional security architecture. ASEAN risks becoming increasingly polarised and marginalised in a regional theatre characterised by great power rivalry.[21] Institutional set-up and processes might have to be amended in order to enhance or establish meaningful actorness and ultimately, maintain ASEAN's relevance. Simultaneously, such analysis allows insights into policy preferences and considerations of AMS and whether or

---

[20] Locklear (2013).

[21] Rizal Sukma (2012) has highlighted ensuing risks of becoming marginalised following the disastrous 2012 AMM.

not individual foreign and security strategies can be components of a larger, cohesive regional strategy that might be termed an ASEAN approach.

Both of this thesis' pillars aid the understanding of the IR of Asia significantly in their own right as well as in their sum. Sound theoretical criticism is supplemented by institutional analysis of ASEAN-based security regionalism. What are the implications for Asia-constructivism, the ASEAN community and its centrality, and most of all ASEAN's very raison d'être are questions that will be answered.

1.3. Structure

This first chapter will close with a clarification of some potentially imprecise but frequently referred to concepts, such as actorness, and explain Southeast and East Asia specific practicalities, such as organisation of regional security. Chapter 2 offers a brief introduction to ASEAN, its historic development, institutional set-up, particular processes, and its community building project. Chapter 3 represents a comprehensive in-depth review and analysis of constructivism influenced perspectives on ASEAN. This allows the categorisation and proper clarification of the aforementioned sub-theory of Asia-constructivism. Wherever appropriate, this is supplemented with references to the association's own rhetoric. This literature review will produce three critical outcomes: (1) introduction of the main theoretical components necessary to appreciate what I have termed the demand side; (2) demonstration of the influence of traditional constructivism on ASEAN studies, allowing for the categorisation of Asia-constructivism; and (3) demonstration of similarity in conclusions on ASEAN's actorness of ASEAN itself and Asia-constructivist analyses.

Chapter 4.1 – 4.3 are the empirical components of this thesis and include the three case studies. Each will introduce the demand and supply side and try to reconcile both at the end. Conclusions shall be drawn subsequently, coming in form of chapter 5. This final assessment will draw on case study results and assess the overall degree of ASEAN actorness. Here, the association's shortcomings will be critically highlighted, so will ASEAN's undoubtedly existing strengths and contributions to

regional security. This chapter will also show the ramifications of this critical appraisal of ASEAN in regional security for Asia-constructivism. Chapter 6 then ought to be understood not as a conclusion as much as some final remarks on what ASEAN actually is and will also suggest further possible research.

1.4. Critical Terms and Concepts

The intersubjective appreciation and understanding of terms and concepts is one of the most fundamental preconditions for academic analyses, as ambiguous application may cause a misinterpretation of the arguments brought forward. The responsibility to create such understanding rests with the author. Below, I intend to do this responsibility some justice, but more concepts specifically relating to Asia-constructivist thought are introduced in Chapter 3.

ASEAN

Recognising that ASEAN is a regional organisation and thus a bureaucratic body, this thesis occasionally uses ASEAN and Southeast Asia interchangeably. In comparison to the global average of international organisations, ASEAN is relatively comprehensively integrated and occasional interchangeable reference does not do academic precision injustice. When we talk about ASEAN, we refer to the sum of the ten AMS of Indonesia, Philippines, Vietnam, Thailand, Malaysia, Myanmar, Cambodia, Laos, Singapore, and Brunei Darussalam (ASEAN10). Most definitions of the Asian sub-region that is Southeast Asia accept that there is only one country that is part of geographical Southeast Asia but not ASEAN, namely Timor-Leste, whose membership is being negotiated and accession is most likely not more than a matter of time.

Regionalism

When referring to regionalism, what is meant here is first and foremost a framework for the study and indeed practice of political, economic, and often socio-cultural integration by several sovereign nation states within a given region, Southeast Asia in this case. Although some have suggested that in the context of post-Cold War

globalisation, [22] geographical factors matter less than factors such as human practices,[23] specific political contexts,[24] or international organisations,[25] this thesis accepts geography as the centre of regionalism. Although the term has been contested ever since early regionalism studies of the 1950s, Joseph Nye's now infamous, rather broad definition has withstood the test of time. Nye defines a region '*as a limited number of states linked by a geographical relationship and by a degree of mutual interdependence*.' He argues regionalism *'[i]n the descriptive sense is the formation of interstate associations or groupings on the basis of regions; and in the doctrinal sense, the advocacy of such formations*.' Most noteworthy is Nye's emphasis on political decisions made by relevant regional actors for the relevance of regions in international politics.[26] Defined as such, geography, interdependence, and cooperation among political elites in nations states are the major parameters of regionalism.

This thesis therefore treats the state and its elites as the reference point and *actor*, and institutionalised modes of regional cooperation as the *facilitator* of regionalism. This corresponds closest with an institutional realist understanding of regionalism as interaction and the result of states seeking to mostly advance their national interest, which may or may not be corresponding with the interests of other regional actors, but does not ignore the value of institutions per se. A constructivist reading on the other hand emphasises the transformative power of interaction with regards to a redefinition of the national interest through common socialisation dynamics and emergence of common identities. In either case though, regionalism refers to interaction of some kind in order to advance and pursue certain goals. This interaction takes place within varying degrees of formal integration in form of institutions and regimes on the basis of documents such as charters, laws, mottos, and declarations. But also less formal and even ad-hoc contacts between regional

---

[22] The study of post-Cold War regionalism in the concept of globalisation has been termed "new regionalism" (also "open regionalism"). For an overview Hette (1999); Shaw/Grant/Cornelissen (2011).
[23] Katzenstein (2005).
[24] Katzenstein (2000).
[25] Antkiewicz/Cooper (2011).
[26] Nye (1968): vii.

actors in form of bi-, multi-, or minilateral meetings with the purpose of coordinating regional relations in some way.

Widening the concept beyond geographically bound functionalism – as the "new regionalists" have done[27] – is useful and sometimes necessary, but doing so also carries the risk of rendering the term all but irrelevant. Can for instance the Commonwealth, displaying shared history, some interdependence and great multi-level exchange be termed a case of regionalism? For the purpose of this thesis, Indonesia's Hasan Habib delivers a suitably narrow definition, stating

> *Regionalism is the expression of regional consciousness that develops from a sense of identity among states situated in geographical proximity which motivates them to mutually cooperate in one or another mode to attain common goals, satisfy common needs, or to solve political, military, economic, and other practical problems*.[28]

Here, regionalism can effortlessly be applied to the cooperation among and integration of Southeast Asian states as institutionalised in ASEAN as well as to the various ASEAN-plus arrangements that include extra-ASEAN states with a significant Asian presence, such as China, the U.S. etc. In addition to the pursuit of common goals, which rationalises cooperation, Habib highlights a sense of identity. This is a critical term and ought to be treated with due caution. Many constructivists have controversially treated identity as an independent or intervening variable or a constant determinant.[29] In order to avoid confusion with the concept of identity in constructivist literature, a theory independent concept of identity could term it as "character". A region's character is what demarcates one form of regionalism from another. There can be hardly any disagreement over the different character of European (EU), Asian (ASEAN), African (AU), or Arabic (Arab League) regionalism. Hence, although there may be disagreement over the nature or the source of

---

[27] Shaw/Grant/Cornelissen (2011).
[28] Habib (1995) cited in Dosch (2014): 94.
[29] Acharya (2001); (2014).

regionalism,[30] the pure existence of a particular regional character can be universally agreed upon. Regional coherence and ultimately the independent agency of an organisation's institutions is closely linked to its character, determining the degree and progress of regional integration.

Lastly, what is meant by regional integration is essentially the establishment and continuation of patterns of interaction among states that may forfeit or maintain varying degrees of national sovereignty. In this light, integration is a process, but also a perpetuation of this process. Perpetuation does not necessarily imply '*creating an ever closer union'* as European treaties prescribe.[31] Perpetuation of the process should also be understood as maintenance of a sufficient level of regional integration and cooperative structures once achieved. Two very traditional definitions of regionalist pioneers clarify this point. Ernst Haas defined regional integration as

> *the process whereby political actors in several distinct national setting as persuaded to shift their loyalties, expectations and political activities to a new center, whose institutions possess or demand jurisdiction over pre-existing national states. The end result is a new political community, superimposed over the pre-existing ones*.[32]

Haas' emphasis on the transfer of loyalty and an end result of a new entity sees regional integration, once started as an inevitable process towards an eventually completed post-sovereign new entity. His definition therefore implies the necessity of at least some degree of supranational authority over individual units; over previously sovereign nation states. This definition of integration as a process can be qualified and moderated by Karl Deutsch's definition of regional integration as a '*relationship among units in which they are mutually interdependent and jointly produce system properties which they would separately lack.'* [33] Here, Deutsch

---

[30] For instance a commonly shared norms and identity (constructivists) or market/social/interdependence force (institutionalists/functionalists) or national self-interests and power (realists).
[31] Treaty of Rome (1957); Maastricht Treaty (1992).
[32] Haas (1958): 16.
[33] Deutsch (1968): 192.

concentrates not so much on the unionising process of integration but on the institutional outcome of relationship and cooperation among units. Regional integration is thus also a situation that allows for greater capabilities resulting from pooling resources. Both definitions are beneficial in their own right, but also complement one another. Hence, this thesis understands regional integration as both a process and a situation.

Actorness

Certainly most crucial to this thesis is the question of what constitutes its very study variable of actorness. As already argued above, actorness results from the sum of Asia-constructivists variables, summed up in agency, autonomy, and community. Regardless of one's assessment of the capabilities of international/regional institutions, latest with the establishment of organisations with a certain degree of autonomy such as the EU, it no longer suffices to exclusively regard national governments as the only viable actors in IR. Depending on the theoretical perspective, regional organisations and institutions can have greater or lesser significance, but entirely disregarding those may lead to self-imposed analytical limitation. For example, even if one was to consider European institutions as not more than a forum for individual governments to advance national self-interest, latest with the Lisbon Treaty, those EU institutions do have a life of their own and a voice in their own right, although one may disagree on the significance and independence of that voice. Thus, determining the degree of actorness of a more or less independent actor – state or non-state – aides understanding international politics. Having said this, it is perhaps surprising just how little attention has been paid to definitions of the tangible ability, willingness, and motives of actors to act, or their actorness. Not surprisingly, most accounts of organisational actorness refer to the EU.

When IR theories and analysts talk about the behaviour of states, individuals, networks, institutions and more, what is typically meant is less the constitution of the body itself but the impact it has on its surrounding. A constructivist reading would suggest that an organisation's actorness results from a shared understanding of values, principles and norms, leading to a certain degree of unity and the ability to

act, to meaningfully affect change. From a rationalist perspective, being active and deliberate in ones action is not sufficient, but any assessment ought to be outcome oriented. From here, one gets a better idea about what independent actorness could be. In most rudimentary terms, actorness is the degree of any given actor's capacity to initiate change of structure and itself. If structure is the environment within which an actor is embedded, then actorness is the capacity of this actor to make this structure work for himself, or, depending on ones theoretical starting point, the extent to which this actor can shape and influence the environment. Gunnar Sjoestedt differentiates between strong and weak international actors in relation to others in the international system.[34] According to him, actorness is '*the capacity to behave actively and deliberately in relation to other actors in the international system*'.[35] Mathew Doidge delivers a useful definition when he writes that actorness is

> *the ability to act in a purposive fashion in the pursuit of external goals and interests, informed by a region's identity. It is a function, therefore, of the ability to formulate coherent policies and the possession of the performance instruments necessary to operationalize those policies*.[36]

Actorness then certainly includes the ability to initiate and affect change of itself and its surroundings. But there is more to it when relating to regional organisations. Doidge's identification of a process of moving from regional presence to regional actorness further aids understanding.[37] Presence is the impact of a region on its external environment, the outcome of its very basic existence. The mere existence of a region may have certain relevance in the world even without actively engaging in any meaningful action. For instance, regional organisation may model themselves in the European image without Brussels pro-actively contributing or even intending to contribute in any way. Presence therefore includes some implicit low-level agency of a regional organisation. Yet, meaningful actorness materialises only by demonstrating the will and the capacity to turn from merely being present to being an active shaper of ones environment. Doidge names three essential characteristics

---

[34] Sjoestedt (1977).
[35] Sjoestedt (1977): 16.
[36] Doidge (2011): 23.
[37] Doidge (2011): 20ff.

of regional actorness. (1) action triggers - the goals and interests of a particular entity; (2) policy processes - the ability to reach decisions relating to the action trigger; (3) performance structures – structural conditions and resources necessary to act once a decision has been reached. Or as Bretherton and Vogler put it, an actor should be able to '*identify policy priorities and formulate coherent policies*'.[38] Both presence and actorness impact on a region's surrounding, yet in profoundly different ways. Whereas the former is a passive, possibly unintended impact, the latter is the active formulation and operationalisation of policy. Actorness therefore includes the ability of a unit to exercise agency,[39] more precisely, the capacity of an actor to mobilise resources in order to affect change. Thus defined, possessing a high level of collective actorness implies a degree of autonomy from its external environment,[40] a need for an appropriately high level of independence; the collective must be distinguishable from its constituent parts.[41] Jupille and Caporaso have added that actorness derives from autonomy defined as institutional independence and cohesion. [42] I suggest that cohesion is the extent to which policies and bilateral relations between individual actors agree with each other and preferences and processes are transnationally synchronised. At the same time, cohesion derives from a vertical coherence between the organisation and its members. Independence and cohesion must be based on a certain degree of reliable unity. An organisation must be able to operate in its own right, relatively independent from capricious activity and intentions of sub-actors such as individual nation states or interfering outsiders. On the basis of internal agreement and unity it must be capable of formulating and articulating coherent goals and policies. Finally, determination and articulation of such goals and policies must be substantiated in practice by implementation of policy measures in order to meet thus articulated ends. An organisation possessing actorness must therefore be more than the merely the sum of its components. It should possess some independent ability to formulate, articulate, and operationalise

---

[38] Bretherton/Vogler (2006): 30.
[39] White (2006) for an in-depth discussion of structure and agency notions within IR theory in general.
[40] Bretherton/Vogler (2006): 16/7.
[41] Sjoestedt (1977): 15.
[42] Jupille/Carporaso (1998).

a common purpose. Although this thesis strongly questions the utility of identity variables, a certain degree of common understanding, or common appreciation of its character aids an organisation's capacity to act collectively in a meaningful manner on the basis of a shared interest; i.e. the ability to formulate and operationalise coherent policies. Hence, actorness is best understood as the sum of individual constituents such as community, autonomy, and agency, measured in terms of cohesion, impact, effectiveness, external recognition and others. Robust regional institutionalisation and rules-based decision structures are, though not necessary, desirable and well-established, formal, reliable, and non-arbitrary modes of interaction are conducive to actorness.

Community

Essential to the research question is conceptionalising community. For a theoretical starting point I suggest sociologist Ferdinand Toennies who juxtaposed *Gemeinschaft* (community) and *Gesellschaft* (society).[43] The difference lays in both the perception of the collective by the individual unit and the reason for collectivising in the first place. In Toennies' view, communities are forged and held together by an intrinsic identification of the individual unit with the collective. Members are bound by a shared interpretation and understanding of norms and values facilitating a sense of togetherness, a community feeling. Although Toennies sees the immediate family as the root of the collective and regards frequent personal interaction on the basis of traditional social norms and trust as necessary, he specifically allows for an extension of his community concept to include wider social collectives. Society on the other hand is a de-personalised, rationally constructed cooperative. Rational, self-interested individuals organise as a formal, rules-based collective in anticipation of efficiency, economic, and security gains. Being part of a *Gesellschaft* is therefore conducive to the individuals' own long-term interests and integration motivated by such considerations. This dichotomy resonates well with two of Max Weber's four types of social interaction. *Wertrationales Handeln* (value-rational action) is guided by intrinsic orientation on the basic values of a community. *Zweckrationales Handeln*

[43] Toennies (1887, edited 2001).

(instrumental action) on the other hand is not informed by values, but pursued in terms of constant cost-benefit calculations as rational individual behaviour; echoing the *homo economicus* acting within the bounds of society. More recent work on communities often builds on those sociological foundations. MacMillan and Chavies for instance also defined community in terms of belonging. Members mattered to one another and to the group beyond their efficiency value and the need of the individual member will be met via collective commitment to be united and together.[44]

When applied to international cooperation, it ought to be noted that society in this understanding differs significantly from understanding informed by the English School tradition in International Relations. English School theorists such as Hedley Bull conceive a society of states as the basis of inter-state cooperation and the international society as the central theme of the English School.[45] The international society have jointly and cooperatively established a shared understanding of a certain set of values, rules, and commonly shared interests, resulting mutually recognised institutions. [46] Despite an appreciation of the basic condition of international anarchy, states may agree to restrict themselves within rules-based institutions, as they have recognised their common interest in maintaining an ordering principle. The English School therefore seeks an eclectic third way somewhere in between realist and constructivist notions of international cooperation. Its understanding of society is, although less idealistic, more akin to the aforementioned concept of *Gemeinschaft*, or community. This has informed the IR of Asia and ASEAN studies a great deal and reappears in most accounts of Southeast Asian relations.

Adler and Barnett prefer to apply the early sociological *Gemeinschaft* definitions to the international arena and define a community with the help of three essential characteristics.[47] First, members share "identity, values, and meanings" as the basis

---

[44] MacMillan/Chavies (1986): 9.
[45] Bull/Watson (1984), Bull (2002); (2012).
[46] Bull/Watson (1984).
[47] Adler/Barnett (1998): 31. Chapter 3 introduces Adler and Barnett's model in more detail.

of community, providing members with an intersubjective understanding of specific norms, values, and suitable behaviour integral to the collective organisation of nation states. Second, members need to have many-sided, direct relations and "frequent interactions in numerous settings". Perhaps this is the most obvious impediment to the community concept's application to IR. How could all member states' citizens, or even the smaller circle of elites possibly frequently and directly interact with one another? Some Asia-constructivists have tried to manoeuvre this obstacle by seeing transnational communities as "imagined communities". [48] Imagined does not equal illusory, but ought to be understood as a feeling of being directly connected by a shared understanding of and identification with their shared community without the need for direct personal encounters. Finally, "reciprocity" appreciates a degree of long-term interest, even altruism derived from a shared sense of obligation and reciprocal responsibility as the bond between individual members. Reciprocity is possibly best understood in terms of convergent definitions of the common good among all participating nation states. The individual interests of a state, such as security and prosperity for ones' nation and people, ought to mirror the common – in this case regional – interest. The individual and collective good and interests are correspondent. Logically, this leads to the conclusion that supporting other members and the collective as whole is equivalent to furthering ones' own interest. Yet, far from being self-interested value-rational action, this mutual, reciprocal support originates in both altruism and a shared identity. The distinction between "the self" and "the other" becomes blurred over time. In sum, a community is thus characterised by a subjective, imagined, and reciprocal sense of belonging together; a "we-feeling".[49]

Security and ASEAN Centrality

An understanding of what is widely called ASEAN centrality and how this relates to the concept of security is also critical to this thesis.

---

[48] Acharya (2009); Bellamy (2004).
[49] Adler/Barnett (1998).

In absence of a universal definition, security is a controversially debated term in IR.[50] Complicating matters is that most would certainly agree that establishing and safeguarding security is the top-priority of international cooperation and the archetypal responsibility of all international actors, may those be nation states or non-state actors. As most concepts, the understanding of security depends on the theoretical starting point. Compare for instance Lippmann's assertion that '*a nation has security when it does not have to sacrifice its legitimate interests to avoid war, and is able, if challenged, to maintain them by war*'[51] to Samuel Makinda's definition of security as '*the preservation of the norms, rules, institutions and values of society*' which must be protected from '*military and non-military threats*'.[52] Estrella Solidum equally emphasises norms and values, does however, move away from the focus on threats per se. Solidum instead concentrates on security as the satisfaction of values, arguing that security '*consists of the feeling that accompanies actual, perceived, or sustained satisfaction of values and/or reasonable and stable expectation of their realization*.'[53] A nation state's values rather than its survival become the main parameters of its core interest of security.

Traditionally, in the realist reading security has been discussed in terms of territory and threats. The nation state is the quintessential actor and, threatened by extra-national actors by military means, its survival is the most rudimental component of having security. Accordingly, threats can be alleviated by increasing power and defence capabilities of the state by enhancing military and economic power, engaging in pre-emptive military action, building and enhancing alliances etc. Some institutional realists also account for the possibility of some form of limited, rational oriented institutional integration and confidence-building measures (CBMs) among a group of competing states. Above definitions carry a more or less overt theoretical connotation and prescribe a theoretical perspective.[54] As security studies evolved,

---

[50] Buzan/Waever/de Wilde (1998), in particular Chapter 2.
[51] Lippmann (1943): 51.
[52] Makinda (1998): 282.
[53] Solidum (1991): 26.
[54] Leffler (2004) for a very good, holistic concept of security, incorporating both external and internal traditional and non-traditional security threats to people and the nation state.

non-traditional security (NTS) threats were added and widened the understanding of what constitutes security and thus, what poses a threat. NTS can be broadly categorised as all non-state challenges to survival and well being of the state and its people. NTS threats include internal threats in form of inter alia subversion by extremist groups, migration, economic hardship, human rights abuses, famines, pandemics, environmental disasters, all of which pose a direct threat to the welfare of state and people.[55] The traditional realist view is broadened in two ways. First, security is no longer seen as being state-centric. Secondly, the welfare of society as a whole and the security of the individual is included. Latest in the wake the of the Cold War, the security discourse expanded from the nation state as the principle object of security and the understanding of security in exclusively military terms. The emerging notion of human security included food-, economic-, political-, and increasingly environmental challenges. [56] Despite justified warnings that the concept of human security is too vague to serve as a sound analytical framework,[57] there is now all but universal consensus that exclusively state-centric, military security is no longer sufficient in order to account for global stability.

Buzan et.al. highlight the problem that security is by no means an objective measurement. Quite the opposite, securitisation of issues often follows normative-ideological elite preferences and therefore, almost any issue can be securitised. Definitions can be endless and the their ideological origins almost polar-opposite.[58] In particular Makinda's and Solidum's definitions are prone to the problem of diverse issue securitisation. Norms and values of society can be subject to fluctuating and even capricious reinterpretations, depending on elite preferences and even Lippman's assertion of a state's 'legitimate interest' is contingent upon potentially inconsistent elitist understanding. In this light, this thesis does not subscribe to any theoretical definition of security or positivist or post-positivist understanding of how it ought to be measured. This is not decisive here. Indeed, defining security with a theoretical bias distracts from the attempted analysis of Asia-constructivism's value

---

[55] Booth (2005).
[56] UNDP (1994): Human Development Report 1994, Oxford University Press.
[57] Paris (2001): 96f.
[58] Buzan/Waever/de Wilde (1998): 24.

added to Asian regionalism. This thesis does however decisively include NTS threats and treats non- and traditional security as non-hierarchical. Non-traditional security threats are real and their impact directly felt and most states and people are regularly confronted by one or more NTS threats of varying intensity. Thus, we must take into account various sources and directions of threats and appreciate a holistic security perspective. More often than not, NTS challenges often defy a purely national resolution, for more often than not, NTS challenges are trans-national in nature (e.g. migration, refugees, ecological issues, economic crises etc.). Hence, while the degree of their importance and effectiveness is going to be subject of debate, international organisations are not superfluous in security. At the same time, traditional security remains as important as it has always been and NTS supplements, not replaces traditional notions. For the purpose of this thesis it suffices to deem security as whatever the relevant actors believe it consists of. This varies from one case study to the other and even within the same case study, depending on the issue at hand. Indonesia for instance, grappling with domestic insurgencies, may have a very different perspective on security from Singapore, being concerned with geostrategic situation regarding the Malacca Strait and other vital sea-lanes and having virtually no strategically usable hinterland. Similarly, the Philippines may regard maritime security as more important than say a landlocked country such as Laos does.

How Security is Operationalised in Southeast Asia

One also needs to get an idea of how security is kept functional, or is operationalised in the region. Apart from a largely self-sufficient China and the unique case of North Korea, there are three pivotal pillars supporting the East Asian security architecture. First and foremost, there is the United States-led largely bilateral “hub-and-spokes” system. Washington is the principal regional security guarantor, the hub of a complex arrangement of mostly bilateral security relationships (spokes). In this arrangement the Pentagon is primarily responsible for the greater security of the region. Its allies and partners contribute within their often limited means. In East

Asia,[59] this is operationalised via a complex web of formal alliances with traditional allies including Japan, the Philippines, and Thailand as well as informal, often intentionally ambiguous agreements and security guarantees, in particular but not exclusively with partners where ambiguity serves a wider strategic goal, such as Taiwan. This is supplemented by several treaties, short of formal alliances, supporting U.S. efforts by granting access to military bases, offering logistic support, conducting joint exercises etc. In recent years, U.S. defence policymakers have increasingly come to appreciate the importance of strategic partnerships short of formal alliances (Indonesia, Vietnam etc.). There has been a particular surge in such arrangements under the Obama administration as part of a strategy for navigating a more complex security situation in Asia.[60]

Since President Obama assumed office in 2009, he extended his predecessor's narrow security focus on the Middle East and South Asia and began to "rebalance" American strategic interests by concentrating on East Asia. By 2020, 60% of the U.S. Navy will be deployed in the Pacific and the military hardware deployed is hoped to permit U.S. forces to effectively by-pass Chinese area-denial and deterrence capabilities. Although the so-called pivot to Asia, or rebalance, is not ostensibly directed at containing the PRC, it provides Southeast Asia with more options facing a more assertive PRC in the SCS. [61] The new U.S. strategy includes diplomatic, economic, and security elements, in particular in Southeast Asia. It is however the security component and U.S. military capabilities in the Asia-Pacific that AMS' leaders consider as the centrepiece of the pivot.

Secondly, there are significant bilateral cooperative networks among individual East- and Southeast Asian countries such as closer Philippine-Vietnam relations, in particular in reaction to the SCS threat originating in China. There are also more or less close military-to-military contacts and joint exercises among most AMS. Lastly, and most crucially to this thesis, the final pillar of East Asian security is based on

[59] Tow/Limaye (2016) provide a brief summary of U.S. security cooperation in East Asia.
[60] Parameswaran (2014) for an analysis of the increasing U.S. reliance on strategic partnerships in Asia.
[61] Simon (2015) for a good overview of the development and aims of the pivot.

ASEAN's centrality, the notion that ASEAN is and ought to be the fulcrum of regional order.

Centrality

Centrality is the broader notion that Southeast Asia and ASEAN is the centre of wider East Asian relations in general and in the regional security architecture in the Asia-Pacific in particular. Take for instance the ASEAN Regional Forum (ARF), the East Asia Summit (EAS), or other forums including various ASEAN+ formats. Those are often East Asia-wide, some even wider, but all are ASEAN-based. The origins of that indeed privileged position dates back to ASEAN's founding when it had to deal with larger powers that were converging in East- and Southeast Asia during the Cold War and earlier. Native actors and their regional organisation did and still do not wish to be marginalised by the struggle for influence and dominance among more powerful actors. At the same time, ASEAN represented a useful interlocutor and mediating channel for those greater, competing powers to conduct their relations. ASEAN appreciated this privilege and intended to be in the "driver's seat", as it is often called, of regional security multilateralism. From the very beginning, ASEAN believed it had to assume and must always remain in this driver's seat of Asian regionalism, its institutions, forums, regimes etc.[62] Even more ambitious, ASEAN aims to be not only reacting to great power activity in the region but also to pro-actively harness and even shape that activity. In other words, the concept of centrality attempts to keep AMS and ASEAN relevant against the odds of unequal power in the Asia-Pacific.[63] By virtue of by being the "honest broker" in an Asia where institutions, treaties, and regimes created by one of the bigger powers would lack legitimacy in a context of mutual big power mistrust, ASEAN assumes this role essentially by default. Centrality therefore originates from Southeast Asia's careful management of and navigation between great powers competing for influence in a region that has too often found itself to be a playground for great power competition. Here, ASEAN found a path to promote cooperation and trust without all too obvious alignment. In particular in the

[62] Acharya (2014): 266 for a good explanation.
[63] Goh (2014) for the taming unequal power.

post Cold War era, ASEAN became the most ardent actor in regional multilateralism, leading to the founding of the ARF, EAS, and ratification of peace regimes such as the TAC. To this day, ASEAN expects to continue to be the centre of much of the regional architecture that is evolving around it. In the security architecture, centrality is mostly is institutionalised in ASEAN associated elements of track-1 multilateral, regional security cooperation, such as the ARF or ASEAN+3, ADMM+, as well as extensive track-2 network and even non-ASEAN, pan-Asian, track-1, -2 and increasingly -1.5 forums, such as the Shangri-La Dialogue. Concealed in this concept is a gigantic challenge for a collective of small, comparatively weak (measured in terms of material capabilities) nation states. Centrality implies that an association of weak nation states can play an over proportionally powerful role in the wider regional security architecture. Considering the asymmetric might of other regional actors such as the U.S., China, Japan, South Korea, Australia and others, one would not think AMS could maintain a position of regional security management on their terms. The pressure resulting from this implication shall be topic of the first case study.

AMS regard all pillars of regional security operationalisation as mutually reinforcing. Yet, this thesis works on the assumption that the security quality of the first pillar, U.S. managed security, is the most critical of all and this remains what most East Asian states, bar North Korea and China, greatly rely on.[64] The contemporary main focus of regional multilateralism is less militarily and more on CBMs and conflict avoidance. Although preventive diplomacy is the declared goal, [65] the region is arguably very far from having achieved a sufficient level of mutual trust as to make preventive diplomacy and conflict resolution reliable. Unlike in Europe, the strong emphasis on sovereignty in Southeast Asia is powerfully coupled with an equally strong sense of both national identity and interest. The lack of accepted and established common security structures and insitutions such as NATO in combination with a heterogeneous, complex web of security interests, alliances, and military

[64] This presumption is the result of interviews and conversations with policy makers, diplomats, and experts in Southeast Asia.
[65] www.aseanregionalforum.asean.org for the ARF objectives.

capabilities and strategies produces rather unstable, unreliable, and potentially conflictual security dynamics in the region.

2. What is ASEAN?

This chapter is an introduction of the major subject of this thesis, ASEAN itself. It will attempt a brief historical, institutional, and political overview and intends to allude to ASEAN's noteworthy heterogeneity and distinctively non-supranational organisational and ideological character. Since ASEAN is an organisation of magnificent size and active in somewhere close to 1000 annual meeting and forums encompassing track-1, -1.5, -2, -3, the focus must inevitably be narrowed and be of direct relevance to this thesis.

2.1. Its Members

No observer would deny that ASEAN is a remarkable organisation and arguably the world's second most successful project of regional integration; with the first place belonging to the European Union (EU). EU comparisons however are only of limited value. Not only is the EU an organisation in one of the world's wealthiest regions and highly advanced in any measureable aspect from socio-cultural development, politics to economics and technology. It is also characterised by a comparatively strong cohesiveness, resulting as much from Brussels' institutional resilience as it is a consequence of Europe's homogeneity. EU members are liberal democracies with, though not identical, comparatively similar societal make-up, demography, and socio-economic circumstances. Some may be

reluctant to accept this point of European cohesiveness, but in comparison, Europe's homogeneity permits a strong organisation.

Key ASEAN Indicators	2011	2012	2013	2014
Total land area (sq.km)	4,435,674	4,435,617	4,435,618	4,435,618
Total population (1000)	598,926	606,856	614,741	622,250
GDP ($USmillion)	2,210,915	2,343,196	2,409,216	2,573,589
GDP growth (%)	4.9	6.0	5.3	4.7
GDP per cap. ($US)	3,691	3,861	3,919	4,136
Export ($USmillion)	1,242,199	1,254,581	1,271,128	1,292,634
Import ($USmillion)	1,146,245	1,221,847	1,240,388	1,236,284
FDI inflow ($USmillion)	95,838	115,453	117,687	136,181
Visitor arrivals (1000)	81,229	89,225	101,055	105,083

Table 2.1.a; *Source: ASEANstats (2015), www.asean.org.*

ASEAN on the other hand is characterised by almost polar opposite characteristics. And yet, having been around for almost five decades, it has been relatively successful within its means. Following earlier unsuccessful attempts or short-lived realisations of regional confederations or defence organisations such as Southeast Asian Treaty Organisation (SEATO) or Maphilindo, ASEAN was founded on August 8, 1967 with the ratification of the ASEAN Declaration (also Bangkok Declaration) by the foreign ministers of the original five founding member states (o-AMS) Indonesia, Philippines, Thailand, Malaysia, and Singapore. For reasons such as non-completed independence or on-going civil war, subsequent ASEAN membership expansion had to wait for several decades. The present day ASEAN10 were gradually completed with the admission of Brunei Darussalam in 1984, Vietnam in 1995, Laos and Myanmar in 1997, and Cambodia in 1999. ASEAN's main legal body, the 2007 ASEAN Charter, does provide for further membership expansion without any specific economic or political pre-accession criteria as long as the applicant is a sovereign nation state located within the geographical boundaries of Southeast Asia.[66] This is distinctively different from EU standards by which the Copenhagen Criteria intend to maintain a relative political, economic, and socio-cultural homogeneity. Effectively,

[66] ASEAN Charter (2007), available: www.asean.org, accessed 06/06/2016: Art 6.

this provision means that present-day ASEAN is virtually completed with the exception of Timor-Leste.[67] Already, the current ASEAN10 cover a region larger than the EU in both population and area.

Perhaps most striking at first sight is that Southeast Asia is, unlike other regions,

AMS	Capital	Government Type (official)	Popul. (est.)	GDP ($USbn)	GDP per.c. (US$)	Major ethnic groups	Main religion	Life expectancy – global rank
Brunei	Bandar Seri Begawan	Constitutional Islamic Monarchy (Indep. 1984)	422,675	17.43	38,563	Malay 65.7%, Chinese 10.3%, other 24%	Muslim 78.8%, Christian 8.7%, Buddhist 7.8%	77 – 50th
Cambodia	Phnom Penh	multiparty, constitutional monarchy (Indep. 1953)	15,458,332	16.9	1,007	Khmer 90%, Vietnamese 5%, Chinese 1%	Buddhist 96.9%, Muslim 1.9%, Christian 0.4%	73 – 104th
Indonesia	Jakarta	Republic, presidential (Indep. declared 1945)	253,609,643	856.1	3,475	Javanese 40.1%, Sundanese 15.5%, Malay 3.7%	Muslim 87.2%, Christian 7%, R.Catholic 2.9%, Hindu 1.7%	71 – 116th
Laos PDR	Vientiane	Socialist, single party (Indep. 1949)	6,803,699	11.71	1,660	Lao 55%, Khmou 11%, Hmong 8%	Buddhist 67%, Christian 1.5%, other 31.5%	66 – 142nd
Malaysia	Kuala Lumpur	Constitutional Monarchy, federal parliamentary (Indep. 1957)	30,073,353	336.9	10,538	Malay 50.1%, Chinese 22.6%, Indigenous 11.8%, Indian 6.7%	Muslim 61.3%, Buddhist 19.8%, Christian 9.2%, Hindu 6.3%	74 – 95th
Myanmar	Nay Pyi Taw	Republic, presidential (in transition), (Indep. 1948)	55,746,253	65.29	1,200	Burman 68%, Shan 9%, Karen 7%, Rakhine 5%,	Buddhist 89%, Christian 4%, Muslim 4%	66 – 143rd
Philippines	Manila	Republic, presidential (Indep. 1946)	107,668,231	289.7	2,765	Tagalog 28.1%, Cebuano 13.1%, Ilocano 9%, other 49.8%	Catholic 82.9%, Muslim 5%	69 – 128th
Singapore	Singapore	Republic, parliamentary (Indep. 1965)	5,567,301	307.1	55,182	Chinese 74.2%, Malay 13.3%, Indian 9.2%	Buddhist 33.9%, Christian 18.1% Muslim 14.3%, Taoist 11.3%, Catholic 7.1%, Hindu 5.2%	83 – 4th
Thailand	Bangkok	Constitutional Monarchy	67,741,401	380.5	5,779	Thai 95.9%, Burmese 2%, other 1.3%	Buddhist 93.6%, Muslim 4.9%, Christian 1.2%	75 – 77th
Vietnam	Hanoi	Socialist, single party (Indep. 1945)	93,421,835	187.8	1,910	Kinh 85.7%, Tay 1.9%, Thai 1.8%	None 80.8%, Buddhist 9.3%, Catholic 6.7%	76 – 65th

Table 2.1.b; *Source: World Bank, www.worldbank.org; International Monetary Fund (2013), www.imf.org.*

[67] And at some point in the future perhaps West Papua should it ever gain independence from Indonesia and, depending on geographical interpretation, Papua New Guinea.

geographically fragmented and in a geographical sense arguably not a natural region. It is comprised of large and small mainland and maritime states, split by plenty of waterways and most dominantly, the South China Sea (SCS). Not entirely unrelated to both the lack of membership criteria and the geographical differences is the second striking ASEAN characteristic; its heterogeneity. Table 2.1.b visualises that ASEAN member states (AMS) cover almost all political and administrative systems of governance known to political science, ranging from total monarchies and authoritarian, to semi-democratic and democratic parliamentary or presidential systems. [68] A simplified political characterisation could for instance recognise Indonesia as one of the few more or less functioning and consolidated democracies in East Asia. Since the student demonstrations in the late 1990s ebbed off, Jakarta holds regular popular elections and non-violent political change takes place, although caveats such as strong clientelistic patronage-politics must be added. On the other end of the political spectrum are countries such as the absolute monarchy Brunei, or Vietnam, which, despite successful semi-capitalist economic reforms politically remains a socialist one-party state. The Communist Party of Vietnam (CPV) remains solidly authoritarian and secondary political association and dissident behaviour is not tolerated and strongly circumscribed. Somewhere in between sits the city-state Singapore. Possibly best characterised as a semi-democracy in which the People's Action Party (PAP) is governing uninterruptedly since independence, albeit being subject to regular elections. The PAP traditionally relies on a form of electoral authoritarianism combining concentration of power among a few elites and limits on expression, media coverage, political assembly, and often draconian laws against any activity that may upset domestic stability. Also interesting to note is the great deal of influence the military and military elites traditionally exercise in some AMS, such as Myanmar or Thailand. As of yet, it remains unclear what medium- and long-term implications Myanmar's recent opening and the 2015 elections will have. Thus far, it remains – even if no longer junta ruled – a country where the military establishment enjoys great political privileges, resulting in certainly undemocratic

[68] Peou (2014) for a discussion of theory and political system asymmetry in Southeast Asia.

political influence. Thailand, unique in that it is the only AMS without a history of direct colonial administration, used to enjoy a great wealth of capable and comparatively liberal political leaders. Unfortunately, latest since 2001 Thailand is in a prolonged state of varying degrees of political instability and popular unrest and remains highly military coup-prone, the latest of which took place in 2014. The country has since regained some stability but is governed by an unpredictable military junta in absolute control of all institutions and branches of government. Albeit promising a return to civil administration at some point, the undisputed leader, General Prayut Chan-ocha continues to put off this point towards an unspecified future. Unlike countries such as Singapore or Indonesia currently characterised by comparatively reliable political stability, Thailand is likely to be politically very volatile, on the brink of renewed turmoil and subject to capricious events for many years to come.[69]

Table 2.1.b also shows that AMS have a great wealth of ethnic and religious diversity, ranging from secular to Islamic, Buddhist, or Christian. Some countries, such as Thailand or Vietnam are ethnically fairly homogenous while others, such as the Philippines are diverse. Most mainland AMS tend to have one principal ethnic/religious population group and numerous minority groups. Maritime states on the other hand are often characterised by a large number of ethnicities, sometimes without one constituting an absolute majority. In Vietnam, the Kinh people make up almost 86% of the Vietnamese population at large, of which again some 81% do not subscribe to any particular religion. In contrast, the Javanese are by far the largest ethnic group in predominately Muslim Indonesia, but constitute only some 41% of the population, with a great number of minority groups mostly occupying islands other than Java. Since Singapore was expelled from the Federation

[69] A political expert at a research institute in Bangkok has suggested to this author that this situation is likely to persist for the foreseeable future. Even if elections were going to be held soon, the new 2016 constitution, in the drafting process at the time of writing and Thailand's 20th constitution since 1932, does not provide for a democratic, civilian system of government up to western standards. It rather organises institutions and laws in order to maintain ultima ratio elite authority over the political and legal process in the foreseeable future; Interview, February 2016, German-Southeast Asian Centre of Excellence for Public Policy and Good Governance, Bangkok.

of Malaya in 1965, it became the only Southeast Asian state with a majority ethnic Chinese population.

The socio-economic development gap is equally striking. The per capita gross-domestic product (GDP) ratio between the largest and smallest national GDP per capita across ASEAN was trending around 1:61 in 2010 and is still at an estimated 1:54. In comparison, the EU ratio is roughly 1:14. The 2014 United Nations Human Development Index lists Singapore in the top ten of developed nations, higher than Denmark, but ranks Indonesia as the world's 108th. Cambodia and Laos are even as low as 136th and 139th respectively.[70] Tiny Singapore is by far the most developed industrial economy in Southeast Asia and leverages on its international reputation as a major global financial and transhipment centre. Singapore's ambitious and skilful, but controversial long-time leader, the late Lee Kuan Yew [71] managed to turn Singapore from a poor, underdeveloped and hopelessly overburdened city that never wished to be independent into one of the world's most developed and wealthiest nations. Nowadays, Singapore's per capita income tops the U.S.' and boasts a political, economic, and bureaucratic capacity and infrastructure unparalleled in Southeast Asia. Singapore's success is due to a relatively stable, highly skilled and educated multi-ethnic society, largely at peace with each other. Given its ethnic diversity and early-days history of racial troubles, this is remarkable and not least due to draconian laws and law enforcement, Lee Kuan Yew's political skills and legacy, and Singapore's self-perception as a capitalist meritocracy. On the other end of the spectrum are countries such as the 2016 ASEAN Chair Laos. A single-party state with an authoritarian government, unopposed in over four decades, Laos is among the poorest countries in East Asia. Bureaucratic state capacity is a further dividing factor. Across most AMS, corruption is endemic. Transparency International for example lists Myanmar and Cambodia in the top-20 of the most corrupt countries on earth. At the same time, Singapore's tough anti-corruption laws have been successful and won the government international acclaim

[70] UN HDI (2014): Human Development Index 2014, available: www.hdr.undp.org, accessed: 01/08/2015.
[71] Lee died in 2015. Singapore's current Prime Minister is his son Lee Hsien Loong.

as the global number 7, with the lowest degree of public-sector corruption in all of Asia; less corrupt than most European countries, including Germany and the Netherlands.[72] An unfortunate commonality across ASEAN is that Freedom House deems no member as "free" in terms of political and civil liberties. Six AMS (Vietnam, Thailand, Myanmar, Cambodia, Laos, Brunei) are considered "not free" with the remaining four (Indonesia, Philippines, Malaysia, Singapore) "partly free". Noteworthy and not without significance to this thesis is also that the current ASEAN Chair Laos is the least free of all the ASEAN10.[73]

2.2. Brief Historical Background

Apart from being rich in natural resources, Southeast Asia encompasses pivotal sea-lanes linking East Asia with the Indian Ocean towards the Bay of Bengal, further on to the Middle East, Africa and Europe. As a historical consequence, Southeast Asia played a significant role in colonial, World War II, and Cold War history and has often been the centre stage of past and present conflicts, power balance dynamics, and turf wars. To this day, Southeast Asia remains of immense geostrategic significance and constitutes one of the most crucial regions for the future of great power relationships. Undoubtedly, all AMS have certainly had penetrating, sometimes even tragic and traumatic experiences with outside interference. In this light not altogether surprisingly, nationalism has always been one of the defining features of Southeast Asian history, society, and politics.

More surprising is that in this light the founding document of ASEAN, the 1967 Bangkok Declaration, declares ASEAN's primary ambition as

> *to accelerate the economic growth, social progress and cultural development in the region through joint endeavours in the spirit of equality and partnership in order to strengthen the foundation for a prosperous and peaceful community of South-East Asian Nations.*[74]

---

[72] Transparency International (2014): Corruption Perception Index 2014, available: www.transparency.org, accessed: 28/08/15.
[73] Freedom House (2015): Freedom in the world in 2015 available: www.freedomhouse.org, accessed: 20/02/2015.
[74] Bangkok Declaration (1967); available: www.asean.org, accessed: 06/06/2015.

If it was not for Southeast Asian history of conflict and war, one could interpret this statement of purpose as an attempt to facilitate economic and socio-cultural exchange and not much else. Yet, against the backdrop of events unfolding in Asia in the 1960s and 70s, it was security that had always been upmost in the mind of AMS' leaders.[75] The intensifying and spreading war in Vietnam, post-Cultural Revolution re-emergence of now communist China, and in anticipation of a power vacuum the great powers were likely to leave behind in the wake of the 1969 Nixon Doctrine and British intention to militarily vacate the world "East of Suez", the major non-communist states of Southeast Asia sought stability and security first and foremost. Though important of course, economic principles were given only rhetorical pre-

ASEAN Milestones; Treaties and Major Steps	
August 1967	Bangkok Declaration – Founding at height of Vietnam War
February 1976	First ASEAN Summit convenes in Bali, Indonesia
	Treat of Amity and Cooperation (TAC) – Cooperation and regional management guidelines; ASEAN Concord (Bali I)
January 1984	First membership expansion: Brunei
January 1992	ASEAN Free-Trade Agreement (AFTA)
July 1994	Inaugural meeting of ASEAN Regional Forum (ARF)
July 1995	Second membership expansion: Vietnam
July 1997	Third membership expansion: Laos and Myanmar
December 1997	First meeting ASEAN+3
	First ASEAN-China Summit
April 1999	Fourth and most recent membership expansion: Cambodia
May 2000	Launch of the currency swap agreement Chiang Mai Initiative (CMI) in response to the 1997 Asian financial crisis
November 2002	ASEAN-China sign non-binding Declaration on Conduct of Parties in the South China Sea (DOC)
November 2002	China-ASEAN free trade area agreed
October 2003	Declaration of ASEAN Concord (Bali II) – Accord on the establishment of AC15
December 2005	First East Asia Summit, originally comprising of ASEAN+6
November 2007	ASEAN Charter adopted
December 2015	ASEAN Community inaugurated

[75] Leifer (1989).

eminence over security. Two of the founding states (Thailand and Philippines) were allied to the U.S. and communist and non-aligned suspicions regarding the new association were supposed to be kept at a minimum.[76] Lee Kuan Yew confirms as much in his memoirs. Lee recalls that at a time of great uncertainty in the face of the Vietnam War and communist insurgencies across the region, the founding of ASEAN was a result of the unspoken objective to gain strength and stability for security through Southeast Asian solidarity. Threatened by a common enemy, the "communist threat", the five founding ASEAN states (o-AMS) found a way to unite under the ASEAN umbrella in order to fill a potential power and security vacuum.[77]

Coincidently, the simultaneous collapse of the nationalist Sukarno government establishing a new domestic and foreign policy order in Indonesia, allowed for a rapprochement between former adversaries in Southeast Asia. Michael Leifer argued that Indonesia as the largest state had always maintained that Jakarta ought to occupy a leadership role. This Indonesian notion of '*regional entitlement*' as Leifer called it[78] was certainly not shared by its neighbours. Post-Konfrontasi Indonesia however, signalled increasing willingness to cooperate with the region and served Sukarno successor Suharto's goal of portraying Indonesia as a constructive, cordial neighbour interested in reconciliation.[79] According to Lee Kuan Yew Indonesia under Suharto stopped acting like a regional hegemon and only because of this, reconciliation and reengagement was made possible. Suharto's cooperative foreign policy allowed other Southeast Asian leaders to accept the largest and most powerful of the o-AMS to be the "first among equals".[80]

However, diverse security interests were discernible from the outset. Shaun Narine for instance found that most Southeast Asian leaders primarily sought to minimise military interference by outside actors against the backdrop of the region's experiences with European colonialism as well as with imperial Japan.[81] Yet, Lee

---

[76] Yahuda (2004): 67/8.
[77] Lee (2011): Chapter 20.
[78] Leifer (1983): 174ff.
[79] Smith (2004): 419.
[80] Lee (2011): 329/30; for a similar argument Emmers (2014): 547.
[81] Narine (2002): 13.

Kuan Yew vividly recalls his all but desperate efforts to convince the British to maintain a military presence in the region for as long as possible despite the East of Suez decision. He claims to have gone to great length in trying to convince both the Wilson and Heath governments to give explicit security guarantees and maintain the greatest military might possible in Singapore.[82] At the same time, at a meeting in KL in 1971, AMS finalised the Declaration on the Zone of Peace, Freedom and Neutrality (ZOPFAN) formulating the intent '*to exert initially necessary efforts to secure the recognition of, and respect for, South East Asia as a Zone of Peace, Freedom and Neutrality, free from any form or manner of interference by outside powers*' and that Southeast Asian countries should make concerted efforts to broaden the areas of cooperation which would contribute to their strength, solidarity and closer relationship.[83] Leifer saw ZOPFAN essentially as a Malaysia initiated response to the U.S. – China rapprochement and the former's impending withdrawal from Vietnam, which would significantly alter the geostrategic situation in Southeast Asia.[84] Ralf Emmers views this obvious conflict of security interest as a division of perception between Indonesia and the rest of the o-AMS as to what Southeast Asia and ASEAN should and can be. In the end, Jakarta failed to realise its vision of an exclusively Southeast Asian-led security order, free from extramural interference, and Suharto somewhat succumbed to the interests of mostly Singapore, Thailand, and the Philippines wanting to continue to rely on and press for outside security guarantees.[85] Although ZOPFAN did not have any immediate discernible effect and was perhaps intentionally characterised by vague assumptions of the role of outside powers. As the first official agreement pursuing some limited regional security cooperation with a joint goal, ZOPFAN was highly symbolic nonetheless. At first sight, this seems to make for a strong neo-realist case whose proponents tend to claim that commonly perceived threats are integral to tying sovereign states into

---

[82] Lee (2011), in particular chapter 2 and 4.

[83] Zone of Peace, Freedom and Neutrality Declaration (1971), available: www.asean.org, accessed: 02/10/2015; Hanggi (1991) for a detailed examination of the ZOPFAN proposal in theory and reality.

[84] Leifer (1973): 607.

[85] Emmers (2014): 548.

institutions which then subsequently evolve or perish with the development of the respective common threat.[86]

But there was more to regional integration from the outset. Economic and domestic political factors were inseparable from stability and security and this connection took a rather curious form In Southeast Asia. The Indonesian notion of *ketahanan nasional* or "national resilience", was seen as pivotal in the context of experiences with great regional disorder. The concept holds that if the nation state is robust, administered by a strong government and buoyed by a sound socio-economic situation and a strong sense of nationalism and national belonging, it is better equipped to deal with outside threats. If Southeast Asia were to consist of resilient but friendly nation states, ASEAN would be strong in logical consequence.[87] At the 1972 ASEAN Ministerial Meeting (AMM), Indonesian Foreign Minister Adam Malik argued that national resilience would

> *enhance the capabilities and abilities of each member country and its people in all fields of national endeavor, in order to withstand and to overcome all kinds of outside interference and adverse influences, harmful to its sound and harmonious development*.[88]

Thailand's Thanat Khoman added that national resilience ought to be developed in the spirit of regional solidarity, cooperation and loyalty which would allow the region to cope with internal and external threats to their common interests.[89] In line with their general nationalist principles, AMS' leaders embraced *ketahanan nasional,* linked it to the regional context and made "regional resilience", based on "national resilience" a lasting guiding principle of further ASEAN integration. The achievement of national development and simultaneous regional cooperation would create a robust region capable of preventing external powers from undue interference in Southeast Asia. In turn, greater regional security cooperation and friendly relations within a framework of limited institutionalised regionalism at minimal interference would reduce domestic uncertainty and allow for this apparently indispensable

---

[86] Waltz (2000).
[87] Anwar (2000): 83; Emmers (2007).
[88] Cited in Anwar (2000): 88.
[89] Anwar (2000): 89.

national development. Implicitly, this would also be conducive to regime survival and robust domestic governance, at all times inapprehensive of outside interference. The concept of regional resilience not only highlighted that regional coordination was desirable. It also led to a henceforth inextricable link in the mind of AMS' elites between domestic socio-economic development, robust national government free from external interference, and overall regional security. Regional and domestic stability came to be regarded as two sides of the same coin. In other words, national and regional resilience are mutually reinforcing and constitutive of each other.

Facing an increasing communist consolidation in Indochina following the fall of Saigon, this common understanding of security and resilience led to the first ever ASEAN Summit in Bali in 1976.[90] Here, fearing for their still fragile regional resilience, ASEAN leaders took first crucial steps towards greater institutionalisation. As one observer highlighted at the time, '*the communist victory injected an altogether more compelling sense of urgency into the activities of ASEAN*.'[91] Results included the Treaty of Amity and Cooperation in Southeast Asia (TAC), the Declaration of ASEAN (or simply Bali-) Concord as well as the Agreement on the Establishment of an ASEAN Secretariat.[92]

As a still operational security agreement, the TAC is of particular importance to this thesis. In the spirit of regional resilience, the o-AMS sought to codify intramural cooperation to some extent in order to create a strong foundation. To this day, the TAC continues to be one of the most important ASEAN documents and is the basis for present-day security cooperation.[93] Its principles still denote a de facto code of conduct for non-violent contemporary regional relations. Its purpose was '*to promote perpetual peace, everlasting amity and cooperation*' in Southeast Asia and signatories defined the principles of

---

[90] Koga (2014) for a good historical and analytical account of the process leading ASEAN from ZOPFAN to towards the TAC.
[91] Jorgensen-Dahl, A. (1982): 84.
[92] The Declaration of ASEAN Concord (1976), (Bali Concord I); Agreement on the Establishment of the ASEAN Secretariat (1976), available: www.asean.org, accessed: 07/07/2016.
[93] APSC Blueprint (2009): Article II/9, available: www.asean.org, accessed: 08/12/2015.

> *a. Mutual respect for the independence, sovereignty, equality, territorial integrity and national identity of all nations;*
> *b. The right of every State to lead its national existence free from external interference, subversion or coercion;*
> *c. Non-interference in the internal affairs of one another;*
> *d. Settlement of differences or disputes by peaceful means;*
> *e. Renunciation of the threat or use of force;*
> *f. Effective cooperation.*[94]

It also reinforces the ASEAN resilience dichotomy. Several articles (e.g. Art 11) highlight that not only intramural cooperation, but also each AMS' national domestic stability is integral to the main goal of Southeast Asian peace and stability. Likewise, the first Bali Concord specifies that

> *[t]he stability of each member state and of the ASEAN region is an essential contribution to international peace and security. Each member state resolves to eliminate threats posed by subversion to its stability, thus strengthening national and ASEAN resilience*.[95]

Although o-AMS leaders felt the need to enhance ASEAN's institutional substance and reliable cooperative mechanisms in the face of what appeared to be seen as a common communist domino threat in East Asia, the TAC included the critical provision to be '*open for accession by other States in Southeast Asia*.'[96] This should be read in the context of the communist North Vietnamese victory. In particular Thailand, Indonesia, and Singapore were increasingly apprehensive and desperate to contain the potential spread of revolutionary communism and it is reasonable to argue that this TAC provision was written with the by then more or less consolidated Hanoi government in mind.[97] ASEAN leaders had realised that the CPV government in Hanoi was there to stay and were now hoping for Hanoi's recognition of their own non-violent principles, including the absolute sovereignty and independence of all Southeast Asian states. It was the hope that if communism had become a reality, the principle of mutual respect and non-interference could become the anchor of a regional modus vivendi, not threatened by further communist expansion.[98] Hence, a

---

[94] Treaty of Amity and Cooperation in Southeast Asia (1976): Art. 1&2, available: www.asean.org, accessed: 08/07/2016.
[95] Bali Concord I (1976).
[96] TAC (1976): Art. 18.
[97] Leifer (1989): 68ff.
[98] Leifer (2005): 103; also Leifer (1989) for a detailed discussion.

decade after Konfrontasi, ASEAN's focus had shifted from the challenge in the south to the northern challenge in Indochina.

Vietnam's subsequent invasion of Cambodia in 1979 seemingly confirmed this anxiety and threatened all hopes of a modus vivendi. In particular Suharto sought to substantiate regional resilience, to ensure stability and security in Southeast Asia in the face of challenges posed by the "communist threat", without becoming the playing field of conflict between outside powers. Effectively, ASEAN for the first time sought a Southeast Asian response to a Southeast Asian security threat. The aim was to prevent Hanoi from altering the geopolitical situation in Southeast Asia through force and to prevent one AMS, Thailand, from having to cope with a communist occupied neighbour from where the revolutionary threat could infiltrate ASEAN. Accordingly, o-AMS leaders took the lead in supporting Cambodian resistance and the ousted exile government of Democratic Kampuchea led by the Khmer Rouge. ASEAN tried to galvanise international opposition against Vietnamese aggression and was instrumental in preventing the Hanoi backed Cambodian puppet regime of Heng Samrin from occupying Cambodia's UN seat. However, with Vietnam's withdrawal from Cambodia in the late 80s, its Doi Moi economic reforms, and the eventual collapse of the Soviet Union – and with this the collapse of a large part of the "communist threat" – Vietnam became more akin to what leaders of the o-AMS thought Southeast Asia ought to be. Vice versa, in the light of the eventually unsuccessful attempt to dominate Indochina and an increasingly powerful China, Hanoi became more interested in joining ASEAN for its own security interests.[99] This sea change in Vietnamese politics heralded an era of engagement and an end to previous Indochinese-ASEAN suspicions. In 1995 the former pariah state Vietnam became the first Indochinese and the first officially socialist state to join ASEAN.

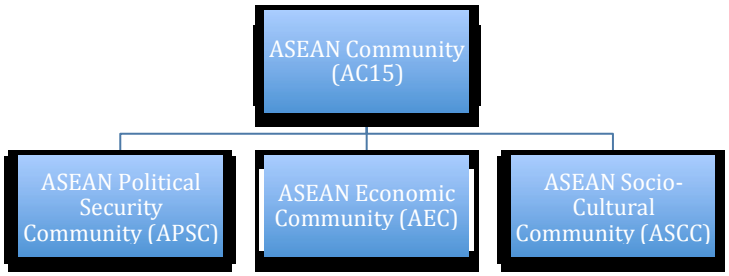
A further pivotal integration step came in the form of the 2007 ASEAN Charter (effective as of 2008). For four decades ASEAN had operated without a formal legal framework. Increasing institutionalisation and expansion, AMS realised, required an official instrument to provide ASEAN with a firm legal foundation. The Charter should

---

[99] Khoo (2001).

codify regional bureaucratic organisation, institutional targets, but also guiding norms, rules, and values. The 2005 Kuala Lumpur Summit appointed the so-called ASEAN Eminent Persons Group (EPG), tasked with drawing up first proposals and recommendations for a codified legal document that would not only facilitate, but regulate robust regional integration. The ASEAN Foreign Ministers were then requested to set up a High Level Task Force (HLTF) to draft the Charter, taking into account EPG recommendations. This was accomplished at the 39th AMM. The Charter became the most significant document, establishing ASEAN as a legal entity and mapping its institutional structure, its principles, finances, and key objectives. Although those objectives, inter alia achieving and enhancing regional resilience, had been set out in plenty of previous documents, they ought to be formalised and articulated within a single legal document, hitherto representing the main point of reference for intra- and extramural relations. The Charter was signed at the Singapore Summit in November 2007 and became a legal reality as of December 2008. It is certainly remarkable that it took ASEAN some 40 years to ratify its basic constitutive legal framework.

The ASEAN Community



Most critical to this thesis is ASEAN's latest significant milestone; its regional integration project of the ASEAN Community (AC15). Despite the traditional insistence on national sovereignty, ever since its inception in 1967, ASEAN had continuously reiterated the call for a '*community of Southeast Asian nations*' or later even an '*ASEAN community*'[100] without further

[100] Bangkok Declaration (1967); Bali Concord I (1976); Bali Concord II (2003); Bali Concord III (2011), all available: www.asean.org, accessed: 07/07/2016.

specifications as to what a possible ASEAN community should be or entail. Following the 1997 Asian Financial crisis, ASEAN rhetoric focussed more profoundly on deeper regional integration and institutionalisation in both the political and economic domain as well as on establishing a leadership role for ASEAN in the wider Asia-Pacific region. In 1997, the ASEAN Vision 2020 statement put forward the notion of a single community in Southeast Asia, which would be

> *a concert of Southeast Asian nations, outward- looking, living in peace, stability and prosperity, bonded together in partnership in a just, democratic, and harmonious environment, dynamic development and ever-closer economic integration and in a community of caring societies, conscious of its ties of history, aware of its shared cultural heritage and bound by a common regional identity*.[101]

Community building gained momentum when the primus inter pares Indonesia assumed the ASEAN Chair in 2003. As many times before and since, at the 9th ASEAN Summit, Jakarta demonstrated its willingness to exercise leadership in propelling regional integration and paved the way for the greatest institutional evolution of ASEAN, yet. Community calls were now provided with a relatively clear agenda in the form of the Declaration of ASEAN Concord II (Bali Concord II), which was reaffirmed in 2011 with the Bali Declaration on ASEAN Community in a Global Community of Nations (Bali Concord III). With those documents ASEAN embarked on a hitherto uncharacteristic community building project by specifying the institutional and ideological framework for deeper regional integration in the form of AC15. At the 12th ASEAN Summit in 2007 the date for achieving AC15 was ambitiously rescheduled from 2020 to 2015. In 2013, ASEAN realised just how tight this schedule was and set the specific inauguration date as the very last day of 2015.

AC15 institutionalises ASEAN's strategic aspiration for regional stability and security, economic prosperity, and closer engagement with civil society. Its institutional framework is vaguely reminiscent of the pre-Lisbon Treaty pillar structure of the EU and consists of a three-pillar organisational architecture with the ASEAN Political-

[101] ASEAN Vision 2020 (1997), available: www.asean.org, accessed: 06/07/2016.

Security Community (APSC), the ASEAN Economic Community (AEC), and the ASEAN Socio-Cultural Community (ASCC). The three pillars collectively represent the general roadmap for AC15, are concurrent and mutually reinforcing and each is defined by a respective blueprint.[102] In recent years the concept of ASEAN connectivity has also been increasingly emphasised and has become the main focus for improvement during the 2016 Laotian Chairmanship. [103] Connectivity refers to the physical, institutional, and people-to-people linkages ASEAN deems necessary to achieve the objectives of each AC15 pillar. Early community building was supposed to be buttressed by the Charter providing greater coherence and coordination. Article 8 and 9 established four additional ministerial bodies to achieve this coordination. This was followed by the Cha-am Hua Hin Declaration on the Roadmap for the ASEAN Community (2009-2015) [104] under Thai chairmanship in 2009, which confirmed members' commitment to implement the tangible, clearly defined goals and targets set out by the respective blueprints.

With 2015 having come and gone and AC15 officially firmly in place, it is somewhat surprising that at the 27th Summit in Malaysia, ASEAN published ASEAN 2025: Forging Ahead Together. The High Level Task Force set up in February 2015 was given less than one year to draw up this document, comprising of the Kuala Lumpur Declaration, the new ASEAN Community Vision 2025 as well as three updated blueprints for each pillar.[105] Article 3 of Vision 2025 declares how pleased ASEAN leaders are with the progress they have made since 2009 as far as implementation of the blueprints is concerned. Now, it was time for a further milestone. It appears that ASEAN itself is not 100% certain whether this newest roadmap for the coming decade is supposed to embark on the consolidation of a community already in place as Article 4 of Vision 2025 suggests, or as the ASEAN website explains, charts the path for continued, but unfinished community building.[106] In either case, the new

---

[102] All original and subsequent blueprints available: www.asean.org, accessed: 07/07/2016.
[103] Interview with Laotian diplomat in Singapore, December 2015.
[104] Cha-am Hua Hin Declaration on the Roadmap for the ASEAN Community (2009-2015)
[105] ASEAN 2025. Forging Ahead Together: ASEAN Community Vision 2025: reference point 4.
[106] ASEAN 2025 at a glance, www.asean.org.

ASEAN 2025 documents are an affirmation of ASEAN's ambition to continue along the community path.

Of particular importance to this thesis is of course the security pillar APSC. Reminiscent of the resilience dichotomy, APSC is built on the presumption that sustainable development of the ASEAN10 in all areas requires a stable and secure political environment in the region based on cooperation, political solidarity, and the mutual interests of a prosperous Southeast Asia; in other words, mutually reinforcing national and regional resilience. Initial proposals to transform ASEAN into a security community met some resistance as it touched some of ASEAN's fundamental norms. Jakarta had for some time advocated ideas such as democracy building, human rights, and peace-keeping by and within ASEAN. But this would require ASEAN to both rethink the strict norm of non-interference and to establish new institutions in order to implement new tasks.[107] During the 12th Summit in 2007, ASEAN acknowledged the need to respond to the increasing number of security challenges with deeper integration and furnished the APSC in 2009 with the first APSC Blueprint, articulating 143 action lines. The APSC Blueprint intends to promote security and stability by bringing '*ASEAN's political and security cooperation to a higher plane*' and ensuring that '*the peoples and Member States of ASEAN live in peace with one another and with the world at large'*. APSC's three key characteristics are (a) a rules-based community of shared values and norms; (b) a cohesive, peaceful, stable and resilient region with shared responsibility for comprehensive security; and (c) a dynamic and outward-looking region in an increasingly integrated and interdependent world.[108]

2.3. ASEAN Organisation and Institutional Structure

With those milestones in mind, the following shall introduce the organisational particularities of ASEAN regionalism. Focus is on what makes ASEAN distinct from

[107] Sukma (2009b) for a discussion of this.
[108] APSC Blueprint (2009): II.6; II.10.

other organisations and what is important to this thesis. We begin with the very DNA of ASEAN that is the procedural basis of the "ASEAN way".

Conceptualising the ASEAN Way

Implicit in all constitutive ASEAN documents to date as well as in the day-to-day practice and conventions of all regional collaboration is what has become known as the ASEAN way. Though the precise meaning of the ASEAN way often escapes outsiders, this mode of interaction remains the quintessential and defining characteristic of institutionalised Southeast Asian regionalism. The ASEAN way encompasses a set of behavioural standards, principles, and norms that are the basis of all of ASEAN's procedural routine.[109] Juergen Haacke explains that the ASEAN way consists of six underlying core-norms of sovereign equality, non-interference, the non-resort to the threat or use of force, quiet diplomacy, the non-involvement of ASEAN in the resolution of bilateral disputes and mutual respect.[110] Arguably, the ASEAN way is best understood as the realisation of a set of underpinning principles in the day-to-day routine of ASEAN politics. Principles such as non-interference in internal affairs of sovereign states, mutual respect for territorial integrity etc., form the basis of a mutual appreciation by all AMS of the intergovernmental, Westphalian architecture of Southeast Asian regionalism. Those principles are realised via adherence to the practical elements of the ASEAN way, i.e. processes of consultation and consensus building, a non-confrontational, "face-saving" bargaining style and a high degree of informality in the interactional habitus of ASEAN elites. Or as others have alternatively termed it "legal-rational" and "socio-cultural norms." [111] The former are those universal norms such as non-interference and peaceful conflict resolution, shared not only across ASEAN but also by plenty of regional and international organisations, institutions, and regimes. Those legal-rational norms constitute the principles. The realisation however, is dependent on region-specific socio-cultural norms. Modes of interaction are therefore culturally relative and in the Southeast Asian case dominated by strong consensus seeking and informality.

---

[109] Busse (1999): 46; Caballero-Anthony (2005): 4.
[110] See Haacke (2003): 59.
[111] Acharya (2014): 43 ff.; Narine (2009): 74 f.

Indeed, much of ASEAN decision making is reminiscent of the old Javanese practice of informal consensus building (*musyawarah*) and friendly consultation (*mufakat*).[112] Former ASEAN Secretary General (ASG) Rodolfo Severino explains that '*ASEAN has been cooperating through informal understandings that impose no legally binding obligations*.' [113] Decisions are not made by majority choices and subsequently imposed, but reached by careful pre-decision consultation among all participants under the utmost respect of the equal weight of each member's position in an atmosphere of non-hostile and informal dialogue. However, it is important to note the difference between consensus and unanimity. One of the founders of ASEAN once explained that in a consensus situation it was not necessary that all AMS are in complete agreement until decisions are made. Rather, if no participant's reputation is damaged and if no participant is in any way excluded from current and future processes, not unanimous agreement but non-objection was key to ASEAN decision making; or in Lee Kuan Yew's own words, '*if four agree and one does not object, this can still be considered a consensus*.' [114] Consensus seeking means finding an agreement on a level of mutual comfort and "face-saving". In particular in the often sensitive arena of security, which is our concern here, handling of intramural disagreement and consultation takes place behind closed doors in an opaque, non-public way. Even if consensus cannot be reached, ASEAN elites tend to not expose the "spoiler" and more often than not refrain from publically mentioning that there was any disagreement at all, ensuring a face saving outcome for all. The importance of this modus operandi can hardly be overestimated in the ASEAN process and the case studies in chapter 4 will frequently encounter what this means in practice.

ASEAN Bureaucracy and Administration

Michael Leifer once correctly pointed out that ASEAN was created to facilitate regional reconciliation. It was, as he neatly put it, '*established as the institutional*

---

[112] Haacke (2003): 58 fn1.
[113] Severino (2001).
[114] Quoted in Acharya (2014): 67; Lee's "four" and "one" account for the founding AMS of which there were five at the time Lee explained this principle.

fruit of conflict resolution.'[115] In one sense, ASEAN's rationale was comparable to the European idea of regionalism. Although economically biased at first, EU integration cannot be interpreted without the context of centuries of extensive regional warfare prior to 1945. Yet, the comparable conflict resolution rationale of European and Southeast Asian regionalism materialised and subsequently developed in profoundly different, almost diametrically opposed ways. [116] Just as much as the origin of European regionalism was the curbing of nationalism, in particular German nationalism, and its worst outcomes by trying to establish a post-Westphalian order, the inception of ASEAN was the result of elite agreement in Southeast Asia that quite the opposite ought to be the bedrock of their respective form of regionalism. As explained above, national resilience facilitates regional resilience and vice versa in a context of a strong sense of post-colonial nationalism. Correspondingly, ASEAN's institutional architecture and its decision making processes are characterised by decidedly anti-supranationalism, strict avoidance of sovereignty pooling, and a preference for informality. Former ASG Severino stated that

> *ASEAN has always been regarded as a group of sovereign nations operating on the basis of ad hoc understandings and informal procedures rather than within the framework of binding agreements arrived at through formal processes*.[117]

Accordingly, in organisational terms, Southeast Asian regionalism is largely designed to facilitate a cooperative, but Westphalian state system, not to transcend it. It has been kept relatively loose and strictly intergovernmental as opposed to supranational and contrary to more rules based, bureaucratic procedures of the EU, ASEAN was created as an informal network avoiding binding rules and procedures.

At first, ASEAN was not more than an assembly of AMS' foreign ministers considering where Southeast Asia ought to be going. That assembly was ASEAN's key institution, responsible for both policy formulation and all cooperation among AMS and officially became the AMM. The 1967 Bangkok Declaration established a Standing Committee and several minor bodies in support of the AMM, as well as National Secretariats in

---

[115] Leifer (2005): 121.
[116] Wunderlich (2007) for a detailed comparison of the historical evolution of EU and ASEAN regionalism.
[117] Severino (2001).

each AMS as the local hubs for all ASEAN matters and responsible for national coordination and implementation of regional policies. The first ASEAN Summit in 1976 in Bali, Indonesia proceeded with deeper institutionalisation by ratifying two key documents, the Bali Concord and the Agreement on the Establishment of the ASEAN Secretariat.[118] The Summit also codified a leading role for the heads of the AMS' governments with the hitherto regular ASEAN Summit. Further institutions, such as the ASEAN Economic Ministers Meeting (AEMM) signifying the interest in greater economic policy coordination, were also set-up.

Once the Charter was in effect as of December 2008, ASEAN had taken a significant leap towards more formal, rules-based regionalism and, most importantly, signalled the intent to clarify and codify its institutional hierarchy and decision making processes. The EPG had submitted its recommendations, which, if ratified as they stood, would have significantly altered ASEAN's character. The EPG proposal included supranational mechanisms such as majority voting decision making and sanctions for non-compliance.[119] However, although some recommendations were incorporated, the final product brought the traditional nationalist preferences of ASEAN leaders to the fore and largely reinforced ASEAN's intergovernmental and elitist structure.

In spite of Charter Article 1 promulgating AMS' aspiration to create a '*people-oriented ASEAN*', [120] the association has no meaningful assembly or regional parliament representing the people of ASEAN on a regional level. Some institutions aim to include civil society organisations (CSO)[121] and an ASEAN Inter-parliamentary Assembly (AIPA) has been set-up, but their role and influence remains marginal. The two most significant functional forums governing ASEAN are the ASEAN Summit as the prime overall decision making body and, unofficially, the AMM. Article 7 preserves the henceforth biannual meeting of the ASEAN Summit as the supreme policy-making body. Officially second in command is supposedly the ASEAN

---

[118] See below for more information on the ASEAN Secretariat.
[119] Report of the Eminent Persons Group on the ASEAN Charter, December 2006, available: www.asean.org, accessed 07/07/2016.
[120] ASEAN Charter (2007): Art 1, 13.
[121] Collins (2013) for a detailed, critical account of the role of CSO within ASEAN.

Coordinating Council (ACC) comprised of AMS' foreign ministers and thus, appears to take over most of the ASEAN Ministerial Meeting's (AMM) support functions for the prime decision making body, the ASEAN Summit. The ACC oversees overall implementation and progress of AC15 and coordinates internal cooperation. It reports to the Summit and is responsible for the implementation of the latter's decision. AC15 itself consists of three further subordinate councils, one for each community pillar; the APSC Council, AEC Council, and ASCC Council (APSCC, AECCC, ASCCC). Together, the three councils supervise the sectorial activities of ASEAN – over 700 meetings each year – and are responsible for realising their respective pillar and implement Summit and ACC decisions. Underneath, each community council has several sectorial ministerial bodies. Although the Charter established the AMM only as a third-tier institution it certainly remains one of the most important forums for both policy discussion and formulation. In 2015 ASEAN underlined the importance of the AMM by agreeing to undertake efforts to further enhance its role.[122] It also oversees most of ASEAN's core institutions, such as the ASEC and the National Secretariats, the Committee of Permanent Representatives to ASEAN and the ASEAN Foundation.

Key features on decision making are stipulated in Charter chapter VII which revealingly opens with Article 20:

> *(1) As a basic principle, decision making in ASEAN shall be based on consultation and consensus.*
> *(2)) Where consensus cannot be achieved, the ASEAN Summit may decide how a specific decision can be made.*
> *(3) Nothing in paragraphs 1 and 2 of this Article shall affect the modes of decision-making as contained in the relevant ASEAN legal instruments.*
> *(4)) In the case of a serious breach of the Charter or non- compliance, the matter shall be referred to the ASEAN Summit for decision.*[123]

[122] APSC Blueprint (2015).
[123] ASEAN Charter (2007): Art. 20.

In the light of the above characterisation of ASEAN, it is unsurprising that Article 20 evidently rejects any form of majority voting mechanism with which individual AMS governments could be overruled in a case of disagreement.

All ASEAN institutions and meetings are officially organised, hosted, and led by the annually rotating ASEAN Chair.[124] It was Malaysia's turn in 2015, followed by Laos in 2016. Rotation is usually based on the alphabetical order of the English names of AMS, but exceptions to the schedule have been made. The Chair is responsible for ensuring the strength of ASEAN, its resilience by inter alia ensuring steady progress of the ASEAN community, its centrality, and effectiveness as well as implementation of principles and goals. In practice the Chair performs three major duties. It is the spokesperson on behalf of ASEAN; it is its "CEO" by hosting, chairing, and facilitating all official meetings, task forces etc.; and it sets the agenda by proposing new initiatives and programmes to advance integration and cooperation. However, as ASEAN expert Tang Siew Mun points out, the most crucial job is the Chair's informal role as ASEAN consensus builder.[125] In the light of the above described ASEAN way this job is critical to the ASEAN process and it takes an effective Chair to exhibit leadership and diplomatic acumen in order to establish such agreement among a heterogeneous ASEAN membership.

All of the above is supplemented by frequent meetings of the Heads of States as well as countless of sectorial ministers, senior officials, and military meetings and retreats, both official and unofficial, ad-hoc and scheduled. Taken together, there are somewhere close to 1000 ASEAN related meetings every year. Corresponding with the ASEAN way, the common characteristic of those forums is their informality and intergovernmental nature. Since 1999, prior to some official ASEAN meetings ASEAN leaders hold a corresponding "retreat", e.g. the AMM Retreat, where respective minsters gather without official agenda items in order to brainstorm important sensitive issues to be discussed – or decidedly not – in the official counterpart setting.[126] Retreats are seen as a place where ministers can discuss

---

[124] ASEAN Charter (2007): Art 31.
[125] Tang Siew Mun (2016).
[126] Haacke (2003): 194ff.

freely, without public attention; in other words, a semi-official pre-agenda gathering to gauge the regional mood. This reflects ASEAN's emphasis on establishing consensus and the great caution of AMS that no surprises materialise at official meetings.

In the light of this thesis' subject matter, the ASEAN Defence Minister's Meeting (ADMM) is also critical. Its importance has steadily increased as the ADMM emerged as the primary forum for ASEAN security. Convened in Kuala Lumpur in 2006, the ADMM was in effect the first step towards realising the ASEAN Political-Security Community by institutionalising defence diplomacy as an important tool in joint AMS' foreign and security goals and policies. It is the result of increasing reliance on and appreciation of multilateral forums for security cooperation across ASEAN and the main platform to promote trust and confidence through better understanding of mutual defence/security perspectives in Southeast Asia.[127] Officially it is tasked with (1) promoting regional peace and stability through dialogue and defence and security cooperation; (2) providing strategic guidance for defence and security cooperation within ASEAN (and with the subsequent formation of ADMM+ between ASEAN and eight dialogue partners also external); (3) promoting mutual trust and confidence; and (4) contributing to the establishment of the ASEAN Political Security Community (APSC).

The ASEAN Secretariat

Based in Jakarta, Indonesia the ASEAN Secretariat (ASEC) is supposed to be the key organiser of ASEAN. Set up at the first ever ASEAN Summit in 1976, the Agreement on the Establishment of an ASEAN Secretariat provides for the ASEC to streamline cooperation. The ASEC is the mission control of Southeast Asian regionalism. From Jakarta, the ASEC coordinates ASEAN's organs and is the hub for all major projects and undertakings. It is headed by the ASEAN Secretary General (ASG) – formerly known as Secretary General of the ASEC – who is currently selected from all AMS in alphabetical order and appointed by the ASEAN Summit for a non-renewable term of

[127] Termsak (2013): 2.

five years.[128] ASEAN history suggests that the degree of actual power somewhat depends on the person holding the office. The ASG can be an influential moral institution and to a lesser extent even a political factor. Some ASGs have been more powerful than others. Surin Pitsuwan, serving from 2008 – 2012, had for instance been recognised as a pro-active ASG. Others before and since Surin were less vocal and zealous.

H.E. Le Luong Minh, incumbent ASG

Surin Pitsuwan, his predecessor and ASG from 2008 - 2012

In theory, the ASEC has the potential to transcend intergovernmentalism but in fact epitomises the ASEAN approach of national pre-eminence over supranational sovereignty. From the outset, the ASEC was provided with very modest resources, suggesting that AMS would shy away from any substantial support for the secretariat and indicative of their objection of any substantial supranational authority. Initially, the ASG would be appointed for a two year term by the AMM upon nomination by an AMS on a rotational basis in alphabetical order. It commanded only very limited human resources beyond the ASG and every senior member of staff was seconded from AMS,[129] ensuring that the ASEC would not develop any meaningful independent agency. A number of subsequent Protocols Amending the Agreement of the Establishment of the ASEAN Secretariat [130] reformed this institution somewhat. Those protocols established the rotating posts of two Deputy Secretary Generals (DSG) and added a number of additional senior and junior members of staff, such as eventually four Bureau Directors, 15 Assistant Directors, and 15 senior officers as well as additional junior staff as deemed necessary. Crucially, from 1992 onwards, all senior positions apart from the ASG but including the DSGs, were openly recruited – although a quota system applied in order to ensure fair representation of

---

[128] ASEAN Charter (2007): Art. 11.

[129] Agreement on the Establishment of the ASEAN Secretariat (1976).

[130] Protocol Amending the Agreement on the Establishment of the ASEAN Secretariat (1989; 1992; 1997), available: www.asean.org, accessed: 20/09/2015.

all AMS. As of the 1992 amendment, the post of the ASG was given an appearance of greater authority by renaming the office "Secretary General of ASEAN" instead of "Secretary General of the ASEAN Secretariat" and granting it ministerial rather than ambassadorial status. At the same time, it is interesting to note that Article 4 of the 1992 amendment provided for the by then only one DSG, an office established by the 1989 amendment, to be appointed by the ASG himself following an open recruitment process. However, AMS retracted from this in 1997, most likely fearing both too much political power of the ASG as well as symbolic ramifications. Thereafter, the by then two DSG posts were no longer openly recruited and appointed by the ASG, but yet again seconded from AMS.[131]

Following the events of ASEAN expansion and the Asian financial crisis, the 1997/98 Hanoi Plan of Action (HPA) recommended a

> *review of the role, functions and capacity of the ASEAN Secretariat to meet the increasing demands of ASEAN and to support the implementation of the Hanoi Plan of Action.*[132]

With the ASEAN Charter the ASEC did indeed regain a slightly stronger position. Henceforth, the ASEAN Summit appoints the ASG for a singular five-year term and endows the ASEC with a mandate to facilitate and monitor implementation of ASEAN's commitments and agreements and provided more senior staff by doubling the number of DSGs to four, two of which seconded from AMS and two openly recruited.

Nonetheless, in spite of those rhetorical commitments and modest efforts to strengthen the office of the ASG and the role of the ASEC and thus, deepen institutionalisation of ASEAN coordination, both the ASG's status and the scope for independent ASEC action remain highly circumscribed – intentionally of course.[133] Virtually all documents referring to specific tasks, authority, and organisation of the ASEC include strong provisions for perpetuating the primacy of national sovereignty over ASEC authority and thus, reinforce and perpetuate ASEAN's

---

[131] Protocol Amending the Agreement on the Establishment of the ASEAN Secretariat (1989; 1992; 1997).
[132] Hanoi Plan of Action (1997), available: www.asean.org, accessed: 20/09/2015.
[133] Sukma (2014): 7.

intergovernmentalist character. Despite having been upgraded to ministerial status and given some monitoring and implementing authority, the ASG still has little input on actual policy, only operating in accordance with the directives issued by leaders and foreign ministers.[134] Nor is the ASEC able to enforce any ASEAN agreement or even to monitor domestic policies and events in order to ward off potential crises without being specifically invited to do so by the respective AMS.

AMS lack of generosity also continues to inhibit the ASEC to this day. Resources at ASEC's disposal remain in fact so modest that several officials and representatives of non-ASEAN political foundations and NGOs have complained about its lack of productivity. According to some, the ASEC is largely unable to provide basic documents and agendas in a timely fashion and even the most basic correspondence takes significant amounts of time due to its very limited capacity in terms of both human and material resources.[135] Some experts have gone as far as claiming that the aversion against an even remotely autonomous body beyond the nation state is so deeply entrenched that AMS often purposefully deny any kind of support and even pursue preventive measures such as retarding information sharing and posting non-qualified staff.[136] Whether this is true or not, the limited ASEC mandate certainly ensures that its role is little more than coordinating AMS dignitaries and even a pro-active ASG like Surin cannot be more than one voice among many to be heard.

ASEAN Beyond Track 1 Diplomacy

ASEAN's minimalist regionalism prioritising informal consensus seeking opens the door wide for informal elite contacts and networks. Consequentially, ASEAN has a high degree of diplomatic engagement with track-1.5 and -2 forums, dialogues, and workshops, arguably obscuring agenda setting and decision making. There is for instance a rather opaque interconnectivity between ASEAN policy making processes and what is called the ASEAN Institutes of Strategic and International Studies (ASEAN-ISIS); a network of national think tanks and policy institutes seeking to

---

[134] Rattanasevee (2014): 4.
[135] Several interviews as well as personal discussions with NGO and political foundation representatives, held in December 2015 and February 2016 in Jakarta, Singapore, and Bangkok.
[136] Ravenhill (2006): 180.

engage in agenda setting and other methods of input provision to ASEAN policy making. Officially, the ASEAN-ISIS commenced in 1988, but informal meetings date back to earlier days. Original institutes in the o-AMS included the Indonesian Centre for Strategic and International Studies (CSIS), the Institute for Strategic and International Studies (ISIS Malaysia) in Malaysia, the Singapore Institute for International Affairs (SIIA), and the Thai Institute for Security and International Studies (ISIS Thailand). Subsequent membership expansion added further to the network, such as the Institute of International Relations (IIR) in Hanoi.[137] They play a proactive and influential role in integration processes as well as security and economic discourses and policy making. [138] As Mely Caballero-Anthony, herself actively involved in those structure, argues, the ASEAN-ISIS is more than an advisory body, it initiates policy.[139]

Although the ASEAN-ISIS is legally defined as a NGO, the individual institutes of the ASEAN-ISIS are closely linked to their respective parent states and rarely rise above national interests.[140] The distinction between public and private is at best blurred and the network has often represented a venue for "off-the-record" diplomacy. It has gradually assumed an influential role in regional policy making and has become deeply involved in the policy making process of ASEAN.[141] A number of significant ASEAN projects can be traced back to ASEAN-ISIS drafts, including both the ASEAN Regional Forum (ARF) and the ASEAN Free-trade Agreement.[142] Moreover, there is often an obscure human resource crossover from the ASEAN-ISIS towards both the ASEAN and the national political scene and back. Rizal Sukma for instance is one of Southeast Asia's leading scholars and publishes widely. He first became the head of the Indonesian CSIS and subsequently the Indonesian ambassador to the United Kingdom. Sukma is also one of the closest foreign policy advisors to Indonesian President Joko Widodo, often joining Widodo's official meetings with foreign

---

[137] Caballero-Anthony (2005) Chapter 5; and Stone (2011; 2013 Chapter 6) for detailed accounts of the work of the ASEAN-ISIS.
[138] Hernandez (2003); Caballero-Anthony (2005).
[139] See Caballero-Anhony (2005): 185.
[140] Acharya (2014): 241.
[141] Simon (2010).
[142] Caballero-Anthony (2005): 161; also Katsumata (2006): 189ff.

dignitaries and even writing some of his speeches on foreign affairs.[143] Sukma tends to be rather critical of ASEAN and advocates a more realist foreign policy, based on key Indonesian national interests.[144]

Corresponding well with the aforementioned ASEAN way, this informal connection provides avenues for policy discussions in sensitive areas were official policy makers and individual AMS may have serious reservations. Often, sensitive policies are discussed and prepared behind the scenes to be subsequently opened for more public debate. ASEAN-ISIS analyses and publications have then often severed as scientific legitimisation for subsequent policies. Far from being detrimental to sound regionalism, though, Caballero-Anthony for instance believes that a region as diverse and burdened with potential conflicts as Southeast Asia, such institutions fill a substantial discourse and policy gap that could not be filled by ASEAN policy makers in their official capacity.[145] The advantages are seen as outweighing their opaque nature, for in those settings, issues regarded as too sensitive for governments to discuss publically, can be addressed. And yet, the obvious insinuation is that policy making in ASEAN ought to be an exclusively elitist affair. The citizenry remain passive and unaware of the activities of ASEAN-ISIS.[146] Although Caballero-Anthony may be right in a narrow sense of vertical hierarchy, the intrinsic form and extent track-1.5 and -2 has taken in ASEAN policy making obscures processes and accountability. The question is whether the individual ASEAN-ISIS components act solely in the interests of their respective parent nation states or as more or less independent think tanks interested in furthering objective discourse.

ASEAN Dispute Settlement

In cases of disputes all ASEAN documents suggest bilateral negotiations as the first resort but should those channels be exhausted, Article 14 of the TAC provides for an ad-hoc conflict resolution body. In theory, this High Council represents the most important multilateral dispute settlement mechanism (DSM) to date. It is to be

---

[143] Conelly (2015): 11f.
[144] Sukma (2009).
[145] Caballero-Anhony (2005): 185f.
[146] Stone (2013): 142.

comprised of ministerial level representatives as a body to '*settle disputes through regional processes*' whenever situations arise that were '*likely to disturb regional peace and harmony*.'[147] Yet, although the region is not short on disputes, the High Council has not once been summoned, nor have provisions of ASEAN's mostly economic DSM, the 1996 Dispute Settlement Mechanism been invoked to date.

Considering the High Council's structural limitations, this is no great surprise and it is indeed hard to see how intramural disputes or cases of non-compliance with settlement provisions could be dealt with effectively. If no peaceful bilateral solution can be found, the High Council '*shall take cognizance of the dispute or the situation and shall recommend to the parties in dispute appropriate means of settlement.*' The High Council may for instance offer mediation and good offices, is however entirely dependent on the unanimous agreement of all parties to the dispute.[148] In other words, the High Council is unable to act unless all disputing parties give their consent. Chapter VII of the ASEAN Charter reinforced the High Council as ASEAN's default mode of dispute settlement alongside ad-hoc mediation requests by disputing parties towards the ASEAN Chair or the ASEC. Should a conflict remain unresolved following application of regional DSM provisions, or in case of non-compliance by one or more parties, Charter Article 26 and 27 stipulate that as a last resort, the matter should be referred upwards to the highest ASEAN organ, the ASEAN Summit, for a decision.[149] The impotence of the High Council due to the ASEAN way of regional cooperation becomes immediately evident. Even if disputing parties were ever to agree to have their dispute officially settled by the High Council, it is hard to see how this could be in any way effective. Not only is a High Council mediation unlikely as this would publically expose the disputing parties, going against AMS' preference for quiet diplomacy.[150] It is also unlikely that after bilateral negotiations have been to no avail, disputing parties would be in agreement on the measures suggested by the High Council. Hence, the provisions are essentially a loop. In case of continuing disagreement or non-compliances, no enforcement

---

[147] TAC (1976): Art 14.
[148] TAC (1976): Art 14; 15.
[149] ASEAN Charter (2007), Art. 26; 27.
[150] Haacke (2003): 79.

mechanism is provided for and conflict resolution ends up at the Summit. Here all AMS are present and unanimous decision making applies, inevitably including the non-compliant disputing party. Moreover, the actual process by which disputes could theoretically be settled by the Summit has yet to be specified.[151]

Ineffective dispute settlement is of course no coincidence, but perfectly correspondent with and indicative of ASEAN's quiet diplomacy logic innate to the ASEAN way. According to Juergen Haacke, rules are designed to prevent a scenario of confrontation. Instead of official settlement, sensitive security issues tend to be discussed behind closed doors, e.g. at informal retreats such as the ADMM Retreat.[152] In this light, it is no surprise that ASEAN DSMs remain entirely theoretical and have never been invoked. Thus far, whenever AMS – or extramural signatories to the TAC – felt in need of arbitration, parties called on international rather than regional settlement bodies. Singapore's former Attorney General and its representative to the Charter High Level Task Force Walter Woon admits that the most practical way to dispose of an unresolved dispute would be to have it referred to international arbitration.[153] Examples include the Thai-Cambodian border conflict, subject of this thesis' second case study, when Cambodia referred the matter to the International Court of Justice (ICJ) in The Hague instead of relying on regional conflict resolution mechanisms.

The ASEAN+ Extensions

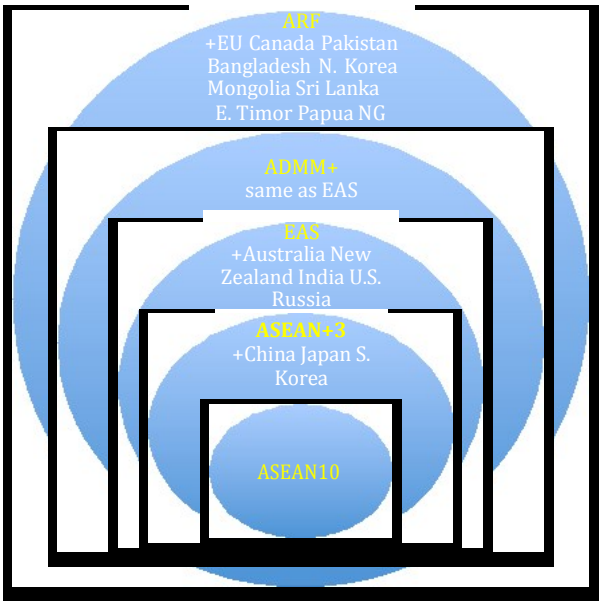
Also not without significance for this thesis' aim and purpose are those institutions tasked with ASEAN's external diplomatic representation. In order to ensure continuous dialogue and by extension prevent conflict and increase trust and confidence across East Asia, while simultaneously safeguarding ASEAN's bargaining position, the early post-Cold War years saw a proliferation of ASEAN-based pan-Asian institutions. This proliferation has led to an impressive ASEAN-centred network of multilateral forums, treaties, and institutions supposed to engage with one or

---

[151] Woon (2009): 4.
[152] See Haacke (2003b): 233.
[153] Woon (2009): 4f.

more non-ASEAN actors. In addition to the various "ASEAN+" forums and dialogues with a number of international actors already alluded to above, ASEAN has also created additional forums and institutions such as the ARF and the East Asia Summit (EAS) and even institutionalised interregional relations with other multilateral organisations such as the EU. AMS also host and participate in regular non-ASEAN track-1 forums such as the Shangri-La Dialogue.

ASEAN-led extramural multilateral engagement pursues the primary aim of establishing, maintaining, and reinforcing ASEAN's relevance in wider regional security and economic architecture; in other words, strengthening what has been introduced as ASEAN centrality. This is supposed to be achieved with the help of essentially two simultaneous and mutually reinforcing mechanisms. ASEAN aims to extend its own norms and procedures by inviting non-ASEAN actors to join ASEAN-centred regimes and treaties such as the TAC, the Southeast Asia Nuclear Weapons Free Zone (SEANWFZ)[154], and the Declaration on the Conduct of Parties in the South China Sea (DoC). The TAC for instance originally codified peaceful intra-ASEAN behaviour and dispute settlement, but from the outset early ASEAN visionaries hoped for greater pan-Asian applicability and enhancement of their own security and relevance by extending thus codified rules of behaviour into the wider Asia-Pacific region.[155] Although there was no intention to create formal military alliances, the principal objective was to arrange and manage contact with extramural participants and to commit those to ASEAN's main



[154] Since no AMS possesses nuclear capabilities, this is an entirely symbolic treaty.
[155] See Simon (2007): 20/1.

preference of the renunciation of the use of force and peaceful conflict settlement with any ASEAN Member State (AMS) in the context of existing and anticipated power asymmetries. By the time the first non-ASEAN countries, China and India, signed the TAC in 2003, the principle apprehension had shifted from the former communist threat to territorial concerns mostly in the South China Sea, the Southeast Asian mainland, and possible future disputes over Indo-Pacific sea lanes. Nowadays, the TAC has been extended significantly and parties include inter alia the U.S., the EU, Turkey, Brazil, and many others. As ASEAN intended, the TAC has become a non-aggression and security cooperation pact between AMS and non-ASEAN actors.

Secondly, ASEAN tries to take the lead in institutionalised multilateralism by being the convener, host, and most of all procedural prototype of all relevant forums, institutions, and meetings in the Asia-Pacific, inviting participations of the greatest possible number of relevant actors. Most, though not all, forums are either decidedly security oriented or have a strong security bias, indicative of ASEAN's intent and priorities. Particularly noteworthy are the ARF, ASEAN+3, the EAS, and the ADMM+. Set-up in Bangkok in 1994, the ASEAN Regional Forum (ARF) for instance includes the diverse set of the ASEAN10 and 18 extramural nations, in some cases with mutual territorial or other significant disputes. The importance ASEAN attached to the ARF was a signal that ASEAN elites were serious about security multilateralism and ASEAN centrality. Most realists perceive the ARF and other such forums in balance of power terms, with the clear aim to engage both the U.S. and China constructively in order to prevent both, but in particular the latter, from achieving regional hegemony.[156] Constructivists on the other hand see the ARF mostly as a forum to spread ASEAN norms.[157]

One could argue that the ARF is both at the same time and perhaps easier defined in terms of what it is not than vice versa. It is no collective alliance with defence commitments such as NATO. Nor is it a conflict solving mechanism. The first

[156] Leifer (1996), (2005); Simon (2007).
[157] Katsumata (2006); Ba (2006).

Chairman's Statement describes ARF objectives as to '*foster the habit of constructive dialogue and consultation on political and security issues of common interest and concern*' in order to '*make significant contributions to efforts towards confidence-building and preventive diplomacy in the Asia-Pacific region*.' [158] It is essentially designed as a multilateral venue for security dialogue and confidence building measures (CBMs) to facilitate mutual reassurance in Asia and maintain stability. The purpose of the ARF is to maintain a balance of power by engaging all relevant actors. Engagement however is also supposed to establish predictable patterns of security cooperation. Procedurally, and this is where constructivists have a valid point, the ARF is ASEAN-led and reminiscent of the ASEAN way. When first concrete steps were taken regarding the ARF's institutional design, many provisions of the first Concept Paper for the design of the ARF, submitted by ASEAN, have incrementally been adopted. The Concept Paper stipulated that in the ARF, ASEAN procedures ought to be embraced and thus, provided ASEAN with a distinct advantage. Many have regarded the adoption of ASEAN principles as a great success of ASEAN.[159]

It is somewhat symptomatic for all ASEAN processes that the ARF is, after more than two decades still stuck in the first of its three planned phases of institutional development, CBMs among parties, even though it was agreed in 2001 that such confidence building must be followed up with the development of preventive diplomacy measures and conflict settlement.[160] Hitherto, the next phase has still not been reached and doubts increase as to the efficacy of this forum. In recent years, the ARF has primarily focused on terrorism, maritime security, and disaster relief and other security forums have emerged alongside it.[161]

The most recent institutional addition to the regional security architecture and perhaps ARF's greatest challenger is the ASEAN Defence Minister Meeting Plus

---

[158] Chairman's Statement of the 1st Meeting of the ARF (1994), available: www.aseanregionalforum.asea.org, accessed: 16/07/2016.
[159] Caballero-Anthony (2005): Chapter 4; some observers have argued however that it was less ASEAN, but the great powers who led the process and the reason all agreed to ASEAN-based processes was less due to ASEAN's initiative than it was to great (and middle non-ASEAN) power bargaining; for this Yuzawa (2007): 62ff.
[160] Beeson (2016).
[161] Haacke (2009): 430.

(ADMM+), inaugurated in Hanoi in 2010. It brings together the defence ministers of the extended EAS membership and given that defence officials run the ADMM+, unlike the ARF, which is run by foreign ministers, the notion that the ADMM+ has overtaken the ARF in importance in all matters of serious security is spreading and not unwarranted. The ADMM has probably become the most significant avenue for both intra-ASEAN security cooperation and ASEAN engagement with extramural actors. This raises the risk of a potential institutional cross-purpose. Defence officials may also have different priorities and approaches than foreign ministers, but engage with the same external actors in numerous settings, increasing complexity and risking inefficiency. Conversely, it could also be argued that the ADMM in general and its +extension are good examples of addressing gaps in multiple layers of institutionalised security cooperation by having included such issues as multilateral defence cooperation, unaddressed in other forums.

Further forums such as the ASEAN+3 and the EAS pursue a broader agenda, including economic elements such as the currency swap agreement Chiang Mai Initiative. Those groupings started with a focus on post-1997 financial crisis recovery but gradually expanded to include different policy areas including security. At its inaugural meeting in Kuala Lumpur in 2005, the multi-agenda forum EAS comprised of the ASEAN+3 and India, Australia, and New Zealand. The USA and Russia joined in 2011. Similar to the ARF, main objectives are CBMs and preventive diplomacy in order to increase cooperation and interdependence in the Asia-Pacific by fostering dialogue and consultation. As is often the case in ASEAN, aforementioned track-1 forums are often track-1.5 and -2 supplemented and venues such as the Asia-Pacific Roundtable often play a proactive and influential role. Such smaller forums under the greater institutional security umbrella often address specific security issues, usually in the form of workshops or joint working groups. Some noteworthy examples are to be found in the maritime security domain with the Maritime Security Expert Working Group (MSEWG) under guidance of ADMM+, the Expanded ASEAN Maritime Forum (EAMF), and the ARF Inter-Sessional Meeting (ISM) on Maritime Security, or the ASEAN-China Joint Working Group (JWG) to Implement the DoC.

Both those elements, the institutionalisation of ASEAN-conceived norms and engagement of externals in ASEAN-prototype forums for cooperation and CBMs, are mutually reinforcing mechanisms and intend to facilitate ASEAN's leadership role, its centrality. All vaguely follow ASEAN's own principles of the ASEAN way and are therefore characterised by a "soft" form of institutionalisation on the basis of inclusiveness and consensus.

2.4. Some Preliminary Conclusions

Jointly, all of the above makes for a distinctively non-European, soft, or even weak institutional framework. While ASEAN does by no means lack bureaucratic bodies, ASEAN leaders have not embraced supranationalist features and reject any meaningful independent administrative authority beyond the nation state. Ever since 1967, AMS elites have prioritised intergovernmental, informal consensus seeking, arguably deliberately creating a regional architecture more suited to problem avoidance than problem solving. From the outset, nationalist, often autocratic AMS wittingly allowed for ASEAN to be just strong enough to facilitate inter-elite cooperation in order to maintain regional stability. Simultaneously, ASEAN's founders and subsequent leaders ensured that no single regional body would become strong enough as to assume any autonomous supranational power, capable of interfering or even dictating the terms of regionalism independently. Almost schizophrenically, ever since ASEAN began moving towards enlargement in the late 1980s and all the way through the enlargement process during the 1990s, AMS embarked on institutional reforms in order to strengthen the framework of regional cooperation, accompanied by constant calls and the eventual inauguration of an ASEAN community. Rizal Sukma has called this the quintessential ASEAN predicament; how to strengthen regional institutions in the light of the need and indeed desirability of regional cooperation, without transforming into a supranational organisation, loathed by most ASEAN elites?[162]

[162] Sukma (2014): 8.

In theory, the ASEAN Secretariat (ASEC) and the ASEAN Secretary General (ASG) have the potential to transcend strict intergovernmentalism and be the mediator, organiser, facilitator and the moral voice of ASEAN for the better. But in fact, reforms of the ASEC and the office of the ASG epitomise Sukma's predicament. Even in the context of AC15, the ASEC is kept at a minimum and the ASG is perhaps more "Secretary" than "General". Despite the need for and indeed some minor materialisation of institutional reforms, neither benefited significantly from the Charter or the community. Rizal Sukma contends that, albeit significant, all those institutional changes did not alter the fact that Southeast Asian regionalism remains a largely state-driven process. ASEAN still is a regional organisation where progress – or the lack thereof – is determined by the political will of AMS rather than by a body with supranational implementing agency. [163] Moreover, despite a plethora of institutional changes and documents prescribing greater organisational streamlining in the light of AC15, the ASEAN hierarchy remains vague.[164] For example, what are precisely role, functions, and hierarchy of individual ASEAN organs? Is the ACC/AMM de jure superior to the three Community Councils or vice versa? Are ASEAN's DSMs desired or superfluous? Is the ARF superior or inferior to the ADMM+? And if the latter, is it still needed?

AMS are confronted with the task of strengthening regional institutions in order to work effectively on their behalf and in their interest, without transforming ASEAN into a supranational organisation. This predicament produces compromises that reflect AMS insistence on state sovereignty and intramural harmony through strict consensus. The absence of an institution that transcends intergovernmentalism, the absence of binding commitments and procedures, and sanctioning regimes as well as the ineffectuality of transparent, rules-based dispute settlement mechanisms among AMS effectively retard ASEAN cooperation in times of intramural disagreement. This ambiguity is likely to obstruct deeper integration. Perhaps some ASEAN leaders deliberately maintain this situation while others are uncertain and prefer, in

[163] Sukma (2014): 12.
[164] Sukma (2014): 15f.

accordance with the ASEAN way, to defer such matters into an unspecified future; "shelving" as this is commonly called and practiced in ASEAN.

3. Perspectives on ASEAN. Constructivism and the ASEAN Community

The following is an in-depth analysis of this thesis' "demand-side" as laid out in the introduction. The empirical "supply" analyses in the form of the case studies will commence with a "demand" overview, yet, this will be brief and case specific, not much more than a reminder of what this chapter 3 has performed. Although readers may disagree, understanding and acknowledging the points I raise in this part is unconditionally pivotal to appreciating the overall aim, purpose, and argument of the thesis.

As already mentioned, demand derives from two sources; dominant academic perspectives on ASEAN influenced by traditional constructivism in International Relations (IR) and the linguistically, conceptually, and optimistically strikingly interrelated self-appraisal by ASEAN. In the introduction, I have claimed to have found a connection between influential ASEAN scholarship and constructivist IR theory mostly in corresponding research variables to an extent that I believe justifies the classification of a new theoretical category, or sub-theory, of Asia-constructivism. I have also claimed that Asia-constructivism is very optimistic about ASEAN's agency, cohesion, and its place in the wider region, just like ASEAN itself. Much of contemporary, post-Michael Leifer ASEAN scholarship draws heavily from American IR constructivist thought, uses corresponding logic and research variables, and verifies often sweeping hypotheses by relying on ASEAN's very own rhetoric, often in lieu of empirical evidence. This chapter's declared goal is to attempt substantiation of my claims with the help of a tripartite analysis of the Asia-constructivist perspective on ASEAN by accounting for authors I categorise as belonging to this alleged sub-theory, their roots in traditional constructivism in IR,

and how this relates to ASEAN's self-perception. This chapter therefore attempts to uncover the theoretical and ideological context of this thesis, the demand ASEAN is confronted with. ASEAN itself has given impetus and in a plethora of documents, treaties, and declarations raised the "demand bar" significantly. I posit that Asia-constructivists presuppose the presence of shared norms and values, the independent variable (IV), facilitating the intervening variable (IntV) of a shared identity, resulting in the dependent variable (DP) of a high degree of ASEAN agency, autonomy, and community. As argued in the introduction, this makes up ASEAN's actorness.

Whether one accepts or rejects this thesis' main argument, this chapter has achieved its aim once four things have been conclusively, coherently, and intersubjectively communicated to the reader. First, that there is a broad positive academic consensus about ASEAN's degree of actorness, not necessarily in proportion to the sum of its members' individual capacity. One would therefore not prima facie expect nor accept this degree of actorness. Second, those optimistic perspectives borrow heavily from traditional constructivist research variables and accordingly credit factors such as shared norms and values, common identity etc. for the success of the ASEAN way of maintaining operational cohesion, supposedly facilitating intra- and even extramural peace, stability, and a promising burgeoning regionalism. Third, the connection between traditional constructivism and what I henceforth term Asia-constructivism is sufficiently deep as to justify both the establishment of a sub-category and the classification of this category as constructivist Asian scholarship. Although some of thus categorised analysts would deny being constructivists, I propose that all are subject to a thick normative bias, basing their claims on constructivist analytical parameters. Once again, the purpose is not to settle the debate between realism and constructivism. Instead, it is to show that the academic debate in Southeast Asian studies is heavily influenced by constructivist parameters and to perform a subsequent empirical test of such informed conclusions. Lastly, this chapter's aim is finally achieved if it manages to show how strikingly similar the evaluation of ASEAN actorness by itself and Asia-constructivists are. ASEAN leaders themselves can be forgiven for taking a perhaps untenable optimism on their

particular Southeast Asian version of institutionalised regionalism and on their association's capabilities and ambitions. Like all political organisations, ASEAN and its leaders rely on sound public relations. Seldom are official political documents, declarations, and elite statements a critical self-appraisal. The same cannot be said about academic scholarship, though. Without engaging in a positivism debate, scholars ideally ought to take a scientific perspective, as objective as possible, informed by theoretically sound and innovative epistemological frameworks. Both hypotheses and conclusions ought to be verified by thorough and intersubjectively appreciable empirical evidence. Not only would this do proper academic standards justice, but sound assessments would also be policy relevant. In particular in the case of ASEAN where, as mentioned in the previous chapter, policymaking is heavily influenced by scholarship.

I shall argue that constructivism as well as ASEAN's own rhetoric of a community of Southeast Asian nations, a strong regional actor in East Asia, united by a common identity and collectively shared norms and values inform an ever-increasing group of scholars, who ought to remain on a different analytical level to their subject matter, but fail to do so. ASEAN's own self-perception as a normative community of like-minded states with a common fate blends perfectly in with traditional constructivism who see their paradigms confirmed by ASEAN rhetoric. Yet, in practice, we have to wonder about the substance of the ASEAN Community and whether or not it is left wanting. But before one can look at the supply side in the case studies and reconcile it with the demand, the demand must be clarified.

To this end, this chapter will summarise and analyse much of thus categorised literature. Commencing with an introduction to the "traditional" school of constructivism in IR and its major variables and assumptions, it follows up with an overview of Asia-constructivist literature. This overview will be split into several elements of ASEAN based regionalism dear to Asia-constructivists and related to the overall subject matter of Southeast Asian security.[165] The association with traditional constructivism shall be demonstrated as well as the alleged echo with ASEAN

[165] ASEAN way, the ASEAN Community (AC15), ASEAN centrality etc.

rhetoric. I attempt to prove beyond doubt that each of those elements and respective constructivist assumptions denote a different building block of what I call Asia-constructivism. Naturally, an overview of scholarship is precisely that, an overview. It does not capture all theoretical arguments in their nuanced details. While certainly trying to do the greatest possible justice to most noteworthy perspectives and elements relating to constructivist literature on ASEAN security and constructivist literature in general, space limitations necessitate selectiveness. This selection, though, has been assembled in good faith and attempts to reflect the most dominant perspectives and assessments.

3.1. Excursion into Traditional Constructivism

Most of the IR community would agree that international politics consists of the elements of several agents (states, organisations, institutions etc.) and at least one, perhaps numerous structures (military balances, identities, anarchy etc.). Substantial disagreement however exists as to what exactly agents and structures are and how they interrelate, if indeed at all. In the later 1980s to early 90s, traditional constructivism emerged primarily as a critical response to rationalist, mostly realist theory. Unlike rationalist rational-choice approaches, constructivism seeks to explain behaviour in IR as a result of social interaction rather than in materialist terms. Simplified, if classical realists look chiefly at the agent as a point of reference (states, human nature etc.) and neo-realists add a structural emphasis (power balances, anarchy etc.), other theories add more agents (institutions, businesses etc.) and structures (interdependence etc.), then constructivists analyse how and why all interact and mutually constitute and re-constitute each other and what consequence this has for IR.

Constructivists argue that a continuous process of interaction between agents and structure determines reality. As the title of an influential work by John Ruggie suggests, ideational rather than material factors are *What makes the world hang*

together.[166] The result of this interaction is an intersubjective understanding among numerous agents, who can and do constantly re-negotiate the terms of their interaction; the intersubjective meaning of concepts and expectations. In this constant bargaining process, the structure within which agents interact is itself continuously altered as agents continuously re-negotiate and change their terms of interaction. This has three initially obvious consequences. Both structure and agents are ostensibly subject to social forces and intersubjectively constructed; neither is predetermined. Second, both are non-static and thus theoretically changeable at will. Third, forces driving this construction and constant re-construction are not material factors such as antagonistic power interpretations but ideational and, depending on the specific branch within the wider constructivist school, either norms and identities or discourses and language. European IR constructivists tend to concentrate more on language and discourse analysis, traditionally influenced by European thinkers such as Michel Foucault. Those "post-traditional" constructivists tend to rely less on norms as their independent variables, but account for Foucault's trilogy of discourse, knowledge, and power, leading them to assess the impact of structure in terms of language and discourse on agents in politics, economics, and society. Mostly American educated "traditional" IR constructivists on the other hand highlight the structure constituting effects of collective norms, values, and ideas on behaviour and habits over which agents negotiate.[167] They attempt deductive, causal explanations of policy and agent/state behaviour by analysing a structure consisting of, and determined by identity, norms, intersubjective interest genesis and habitual practices governed by ideational forces. It follows that in constructivist analyses, understanding the key elements characterising a structure or meta-structure (regional/global environment and other systems of interaction), such as the identity of the collective of agents (e.g. community of states), their cooperative norms, and their habits of interaction is key to understanding, explaining, and predicting policy

[166] Ruggie (1998); also Adler (2013) for a good overview of constructivism as a sociological concept as well as a theory in IR.
[167] Examples include Onuf (1989); Hopf (1998); Ruggie (1998); Wendt (1992) and others; particularly on norms and interest formation Finnemore (1996); Katzenstein (1996); on habits in IR Hopf (2010).

behaviour. It is this branch of constructivism Asia-constructivism and therefore this thesis primarily relates to.

On the Structure-Agency Relationship

The structure-agency relationship allows us two distinguish between the rationalist realist and liberal schools in IR and traditional constructivism. First, there is no such thing as predetermined, exogenously provided structure. Second, constructivists define the interaction between those participating agents in sociological rather than material terms as rationalists do. In spite of analytically prioritising interaction, it is not the individualities or main characteristics of the interacting agents (e.g. states, institutions) that are at the core of traditional constructivism. It is rather the question as to how the process of interaction among several agents influences, alters, and continuously modifies the structure (e.g. international/regional environment) within which they interact and – crucially – vice versa. Whilst rationalist schools by and large identify for instance the condition of anarchy as a constant, innate feature of this structure, constructivists argue that it is rather a social construct, based on intersubjective meaning.[168] In consequence, the structure has no predetermined, static base-characteristic and can be constantly re-negotiated among relevant agents. Or as one of the founding fathers of constructivism put it, '*people and societies construct, or constitute, each other*'.[169]

Many constructivists have therefore taken issue with the rationalist understanding of inevitably competitive systems of interaction (e.g. inevitable power contest or struggle over recourses). The presumption of international anarchy for instance leads in particular neo-realists to believe that international politics is prone to security dilemmas. Constructivists would disagree. Alexander Wendt has adeptly argued that while the international arena may well be characterised by anarchy, competitive interests and identities, and as a result antagonistic interaction among agents (states), this is not inevitable consequence of the innate condition of anarchy (structure). Instead, a particular routine of unfavourable interaction among agents

---

[168] In particular Wendt (1992); (1995)
[169] Onuf (1998): 38.

may be the reason for the adverse an undesirable condition of anarchy. In other words, competitive interaction within a condition of anarchy is not only cause, but also effect of a chosen form of social interaction among states.

Following this logic, Wendt then argues that the condition of anarchy is non-static and changeable through non-violent, positive social interaction.[170] Wendt explains

> *[...] on the agency side, what states do to each other affects the social structure in which they are embedded, by a logic of reciprocity. If they militarize, others will be threatened and arm themselves, creating security dilemmas in terms of which they will define egoistic identities and interests. But if they engage in policies of reassurance [...] this will have a different effect on the structure of shared knowledge, moving it toward a security community. The depth of interdependence is a factor here, as is the role of revisionist states, whose actions are likely to be especially threatening. However, on the structural side, the ability of revisionist states to create a war of all against all depends on the structure of shared knowledge into which they enter. If past interactions have created a structure in which status quo states are divided or naive, revisionists will prosper and the system will tend toward a Hobbesian world in which power and self-interest rule. In contrast, if past interactions have created a structure in which status quo states trust and identify with each other, predators are more likely to face collective security responses.*[171]

There is therefore a mutual constitution of structure and agency; a mutual constitution and interdependent relationship between the international/regional system of exchange (structure) and nation states/institutions etc. (agents). While a structure produced and consisting of antagonistic agents is indeed likely to ignite security dilemma dynamics, a cordial structure produced and consisting of benevolent agents will foster the opposite, a security community. Both revisionist and status quo states enter a non-predetermined international arena and alter their behaviour accordingly. Hence, according to a constructivist understanding of IR, crucial conditions of international politics, such as security threats, are not inevitable outcomes of anarchy. Instead states can opt to cooperate and over time establish a collective non-violence habitus through cordial interaction. Security can be created,

---

[170] Wendt (1992).
[171] Wendt (1995): 77.

or constructed, through social interactions among status quo states, despite the condition of anarchy.

As far as political science is concerned then, constructivists have been radical on rationalists. The quintessential independent variable (IV) of realist thought, international anarchy,[172] is relegated to being not more than one among many possible dependent variables (DVs). Similarly, a DV of particular importance to neo-realists, security dilemmas and security threats arsing from balancing and/or power maximisation can theoretically be the IV in constructivism; the cause rather than the effect of anarchy and competition. Constructivism treats structure as the cause, the medium, and the outcome of agent behaviour. In other words, states create circumstances rather than being confronted by and having to adjust to them. States adjust circumstances instead.

On Power

Realists generally tend to conceptualise power in terms of coercion with the instruments being material in nature. Ideologically they follow Robert Dahl's well-known and most intuitive definition of power that A has power over B if A is able to get B to do what B would not do otherwise.[173] Power is therefore the ability to coerce others to do something they resist doing. Although constructivists have often taken issue with this allegedly too narrow perception of power, it would be unfair to realists to accept this criticism per se. While it is true that all rationalist theories regard mostly military or economic means as the critical instruments to exercise power, defined as coercion, early realists such as Hans Morgenthau had already accepted broader readings of power. Though still defining power in terms of self-interested coercion, Morgenthau accounts for non-material exercise of power, that may

> *comprise anything that establishes and maintains the control of man over man. Thus power covers all social relationships which serve that end, from physical violence to the most subtle psychological ties by*

[172] Walt (1997); Waltz (1993).
[173] Dahl (1957): 202f.

> *which one mind controls another. Power covers the domination of man by man […].*[174]

Kenneth Waltz contemplated how power can be measured and quantifies it mostly in terms of population size and territory, resource availability, military and economic capabilities, and political stability and competence.[175] Other famous neo-realists such as Stephen Walt similarly account for power as coercion in material terms.[176] Constructivist power however follows from assertions of Wendt or Ruggie that structure is non-static and changeable. If one accepts this argument, constructivist scholarship adds a new, previously unidentified dimension to arguably the most central concept of IR. Power can be extended and regarded as the capacity to initiate opportune change to the structure itself, which in turn, true to constructivist logic, changes the agents interacting within it.

Such understanding follows from earlier socio-philosophical concepts of power as defined by thinkers such as Hannah Arendt. To Arendt, power differs from force, violence, and strength and is not a means to merely force a result but a social condition. This condition results from an ability of a social group to be cohesive and '*act in concert*'. It thus '*belongs to a group and remains in existence only as long as the group keeps together*.'[177] Arendt therefore sees power as the possession of influence by a legitimate group of actors by the means of collective persuasion. Ted Hopf has called this the '*power of practice*', which provides '*the capacity to reproduce the intersubjective meanings that constitute social structures and actors alike*.'[178] In the constructivist view then, power is not coercion. It is the ability to create intersubjectivity and to construct, establish, and if necessary re-construct meanings and knowledge eventually shared by all.

This ability to construct reality is facilitated by institutions. If, in crude terms, material might is the vehicle for the exercise of realist power, institutions and institutionalised norms are the vehicle for the constructivist interpretation of power.

---

[174] Morgenthau (1973): 3rd principle of realism.
[175] Waltz (1979): 131.
[176] Walt (1987).
[177] Arendt (1972): 143.
[178] Hopf (1998): 37.

Finnemore and Sikkink have defined a norm life cycle from "emergence" to "internalisation". They argue that the agents of this constructivist form of power are providers of norms or "norm-entrepreneurs". Norm-entrepreneurs' exercise of power is successful if they manage to convince a critical mass of "norm-takers" to embrace new standards of behaviour and thus redefine appropriateness according to their own liking.[179] Within institutions, norm-entrepreneurs (agents) spread norms and in doing so auspiciously alter the structure by redefining what is appropriate. Simultaneously, they can be at the receiving end and absorb norms spread by others. Institutions are the arena where norm-takers and entrepreneurs meet and exchange ideas.[180] Institutions can therefore provide the context for the Wendtian mutual constitution of structure and agency. They are one of the critical arenas where agent behaviour can be constructed or regulated and where the agent's identity is re-defined. Constructivist power, exercised in institutions construct and re-defines the international and regional meta-structure of IR. [181] Institutions as a forum of collective action play a decisive role. Realists would find the most pivotal consequence of that interpretation hard to accept. Since in this view power is socially constructed rather than material, states of low material capability can in theory have as much power as states commanding great material capabilities, as long as they can influence intersubjective meaning.

On Norms and the Power of Socialisation

Congruently, norm setting is power and established norms are the result of successful exercise thereof. No surprise that norms are the reoccurring IV of large parts of constructivist literature. It is important to note that in constructivist literature, norms are not seen as either existent or absent. Norms always exist, but vary in strength and function. Legro defines norms as the '*collective understandings of the proper behaviour of actors*.'[182] Finnemore and Sikkink agree, postulating that there is general agreement in constructivist scholarship that norms are a '*standard*

---

[179] Finnemore/Sikkink (1998): 901.
[180] Finnemore/Sikkink (1998): 899.
[181] Also Barnett/Finnemore (1999) for a constructivist discussion of the power and the ability of institutions to spread norms.
[182] Legro (1996): 33.

of appropriate behavior for actors with a given identity.'[183] In other words, norms are standards of acceptable conduct or behaviour in certain circumstances and are a reflection of particular preferences among a set of two or more actors. Ostensibly, norms implicitly regulate state behaviour and, over time, continually reconstitute state identity. Norms are however distinctive from rules in that the latter are a subset of the former. Rules are the codification of obligatory behaviour on the basis of norms. A useful functional distinction is made between regulative and constitutive norms of behaviour. Peter Katzenstein writes that

> *[i]n some situations norms operate life rules that define the identity of an actor, thus having "constitutive effects" that specify what actions will cause relevant others to recognize a particular identity. In other situations norms operate as standards that specify the proper enactment of an already defined identity. In such instances norms have "regulative effects" that specify standards of proper behaviour. Norms thus either define (or constitute) identities or prescribe (or regulate) behaviour, or they do both*.[184]

Regulative norms specify behavioural rules. They regulate what is obligatory or forbidden, what agents (states) can or cannot do within an already established and recognised framework of interaction (structure). Regulative norms (rules) specify the exact parameters of interaction for participating actors with an already existing, shared identity. Constitutive norms do not directly prescribe or prohibit a particular action. Instead, they define new possible actions or situations. Constitutive norms are the social fabric, the interpretation of the greater social framework within which regulative norms can emerge and regulate specific behaviour in the first place. Constitutive norms give social meaning to the context of interaction and frame the parameters of possible policy options.

Thus defined and applied to International Relations (IR) and the activity of actors (e.g. policy choices), it follows that the difference is whether a particular norm is prompting states to weigh-up compliance versus non-compliance or whether a norm has the ability to limit what choices policy makers even consider possible in the first place. At this point, it aids understanding to consider March and Olsen's conceptual

---

[183] Finnemore/Sikkink (1998): 891.
[184] Katzenstein (1996): 5.

dichotomy of the "logic of appropriateness" and the "logic of consequence"[185] that are analogous to the constitutive-regulative dichotomy. The logic of an expected consequence explains behaviour as a result of rationality, thus elicits a straightforward cost-benefit calculation. An actor acts on the basis of a calculation of how certain actions will further his interests, knowing that any other actor will behave in exactly the same self-regarding manner. This logic resonated more with rationalist IR theories. Appropriateness on the other hand defines what behaviour is deemed right according to social norms and communal identity. The logic of appropriateness implies an actor's awareness of and interests in a differentiation of the "self", the "other", and of a sense of social context. Appropriateness is therefore defined by the constitutive norms that the social fabric consists of. Constitutive norms define what regulative norms can exist and what counts as appropriate behaviour. They are progressively internalised and spread through social learning and sustained over time through social practices. Congruently, if some courses of policy action are intrinsically ruled out by a shared understanding of appropriateness, by the means of constitutive norms, a state has adopted an identity shared by the collective. In a *Gemeinschaft,* or community of nation states, the logic of appropriateness becomes the bedrock of intramural foreign and security policy choices and provides the predictability and shared identity for constitutive norms to emerge.

This also implies that norms can spread. Indeed it implies desirability to spread norms in order to define a shared sense of appropriateness felt by all actors acting within the same structure. Norm diffusion in that logic is the possibility of socialisation dynamics within the international system. In the IR context, socialisation via norm diffusion relates to the process by which states – and other agents in the international structure – accept standards of appropriate behaviour of the collective. In doing so, those individual agents adopt the characteristics of the collective. Via the process of socialisation by a larger group of legitimate agents, individual new members adopt the group's standards of behaviour and alter

---

[185] March/Olsen (1998).

preferences, interests, policy behaviour, and ultimately their identity accordingly (see below for identity and interests formation). Finnemore and Sikkink have called this diffusion "norm cascade" where norm leaders persuade others to become norm followers.[186] This leads back to constructivist interpretations of power. As material might does not matter as much to constructivists as it does to realists, the collective may well be a collective of smaller states, socialising a larger, in material terms more powerful one, as long as they act in Arendt's terms "in concert". In Finnemore and Sikkink's life cycle of norms, the final step is the internalisation of norms by new members. '*At the far end of the norm cascade, norm internalization occurs; norms acquire a taken-for-granted quality and are no longer a matter of broad public debate.*'[187] In other words, socialisation of the agent (state) within the structure (international/regional system) has been successful.

On Identity and Interest Formation

In this socialisation process constructivists tend to not only concentrate on the agent's behavioural change in accordance with the logic of appropriateness as a result of peer-pressure by the collective. More importantly, the agent on the receiving end, the norm-taker has supposedly made changes to its very identity and interests. According to constructivism, identity defines interest. In this essentially Wendtian view, there is no such thing as pre-social or pre-determined interest – as realists tend to assume. Instead, interests are constructed and subject to constant readjustment depending on the social context, dynamics, and the constantly changing identity of interacting agents in relation to both the structure and to each other. Agents therefore cannot know their own interests until their place within the social environment (structure) has been clarified. Ted Hopf writes that identity will

> *tell you and others who you are and they tell you who others are. In telling you who you are, identities strongly imply a particular set of interests or preferences with respect to choices of action in particular domains, and with respect to particular actors.* [188]

---

[186] Finnemore/Sikkink (1998): 895.
[187] Finnemore/Sikkink (1998): 895.
[188] Hopf (1998): 175.

In other words, we do not know what we want until we know who we are in relation to others; in what ways we are similar and how we differ. Identity is the appreciation of the self in relation to others and the environment and is produced and re-produced by social interaction. This in turn, as Wendt had already suggested, defines interests. Both concepts of identity and interest are therefore extrinsic to the agent. Thinking back to constructivist interpretations of the structure-agency relationship, interests are thus as non-static as the structure itself and also mutually constitutive and constantly re-negotiated. The concept of mutually constitutive identity and interest and the collectivisation of identity that shapes all agents' behaviour is critical to constructivism, Asia-constructivism, and therefore this thesis. Wendt had exemplified this notion by arguing that a potentially revisionist state entering a structure of essentially amiable condition, characterised by habits of positive cooperation among status quo states, must and will change its interests according to what is deemed appropriate by the status quo orientated and arranged collective acting in concert. And vice versa, if this state enters a structure determined by enmity and the absence of cordial cooperative norms, it will be forced to define its interest in zero-sum terms and pursue its interests regardless of others.

According to Wendt, there are two essential constraints to interest generating identity formation. Firstly the process of interest and identity formation is '*incremental and slow*' as actors are focussed on tangible gains at the expense of substantial reflections as to the process that allowed those gains to materialise. Second, identity formation presupposes that actors do not identify negatively with one another. Under certain preconditions though, actors are able to self-reflect and subsequently redefine their social roles in ways conducive to overcoming those inhibitions. Wendt cites the Soviet Union under Gorbachev as an example for the positive effects of critical reflection of the self. Wendt argues that in a context of new social situations, unmanageable in terms of pre-existing self-conceptions as well as an anticipation of the expected rewards of intentional role change being greater than its costs, post-Soviet Russian identity change and in logical extension interest change occurred. A critical re-evaluation of identity commitments and old ideas and a re-definition of the self and the other need to take place. Such rethink, according

to Wendt, paves the way for new practices, i.e. initially unilateral initiatives and self-binding by one actor in order to convince the other of its cordial intentions. This can subsequently institutionalise positive cooperation practices based on new identity.[189]

Again, structure and agency redefine each other and interests are determined by a structure dependent identity, which in itself is non-static. Both are thus subject to constant change. Thus, unlike rationalist theories that largely follow rational choice interest formation and the logic of consequence based on predetermined interests, constructivist theory endogenises interest formation by treating a nation state's interest (agent) in the international arena (structure) as one among many dependent variables.

On Security Communities

Not least because security is the main focus and community one of the defining elements of ASEAN actorness, security community literature is pivotal to this thesis. Constructivist theory in IR has often been applied to arguably the greatest question in IR, how to establish and maintain peace and security. Mindful of the above constructivist parameters, it will become evident that although the intellectual father of security community literature, Karl Deutsch can not be termed a constructivists per se, security community concepts correspond very well with constructivist logic on norms, interest formation, and mutual constitution of structure-agency. In the language of the security community literature, on the most rudimentary level, security communities are a group of states among which war has become inconceivable due to an experience of reciprocated trust and non-violent cooperation. Forming a security community is a quest for long-term peace and requires an analytical framework that accounts for a supremacy of norms, shared values, and incremental identity formation. In its final stage, a security community is an institutionalisation of the constructivist stronghold of shared ideas, norms and values, codifying what constitutes appropriate behaviour. In Toennies' and Weber's

[189] Wendt (1998): 418ff.

terms, states may form a *Gemeinschaft*, based on the value-rational interaction. The analogous ontological assumptions of constructivism and the security community concept are noticeable.

No discussion of security community literature can satisfy without Karl Deutsch et al.[190] who laid the foundations upon which prominent constructivists later built and refined the concept.[191] Deutsch defined a security community as '*a group of people, which has become integrated*', meaning that a group within a defined territory has developed a '*sense of community and of institutions and practices'*. He defined integration as a process that creates '*unifying habits and institutions among participating units or groups*'. Those groups have developed a sense of community when individual members are certain that they '*have come to an agreement on at least this one point: that common social problems must and can be resolved by processes of peaceful change'*. [192] Successful security community formation is achieved when members have dependable expectations of peaceful change, i.e. all relations take place in absence of war or the preparations for war.[193] Deutsch's definition consists of two essential elements; a legal substantiation (institutions and practices) and an intersubjective sense of belonging to a social group (sense of community; we-feeling). This is therefore more than a mere modus vivendi found by essentially competitive states. In its final consequence, the security community argument claims that those who manage to construct such a security community will have created not simply a stable mode of interaction, but a stable long-term peace. Given the track record of international relations, this is no small claim. Essential for this to occur is a change in political attitude and behaviour leading towards a sense of community among nation states, a "we-feeling". [194] According to Deutsch, communities can integrate as "amalgamated communities" within which members have ceded political sovereignty and merged into one single political unit, practicing

---

[190] Deutsch et al. (1957); The work of Deutsch and his associates will henceforth be referred to as Deutsch's or the Deutschian concept.
[191] Adler/Barnett (1998); Wendt (1995); Acharya (2014).
[192] Deutsch et al. (1957): 5.
[193] See Deutsch (1961): 98/9.
[194] Deutsch et.al. (1957): 29.

peaceful federalism. Alternatively, and more common, integration can take the form of pluralistic communities within which members do remain independent polities, but war has become an inconceivable option. Deutsch argued that pluralistic security communities were not necessarily achieved by incremental institutionalisation on the basis of shared identities and values – although this is arguably a necessary condition for amalgamated security communities – but on the basis of increased economic, political, and cultural cooperation.[195] According to the Deutschian notion, increasing multi-functional interaction between nation states creates interdependence that fosters a sense of community. This increased practice as well as sense of belonging together makes violent conflict among members of this group increasingly irrational. The Deutschian interaction is accounted for in terms of frequent, measurable social contacts between people and elites (e.g. cultural, educational, professional/political) as well as commercial transactions (trade, labour migration etc.). What has become known as the "transactionalist approach" regards communities as a direct consequence of a dense web of frequent practice of interaction and relies upon a high degree of regional interdependence as a necessary precondition for Deutsch's vital dependable expectation of peaceful change.

The transactionalist approach has inevitably rationalist characteristics and is largely quantitative and positivist in nature. The transactionalist model is classified as functionalist or, if one considers Deutsch's insistence on spill-over effects of increased transaction, it is even neo-functionalist. [196] Deutsch is therefore not normally associated with constructivism per se, in spite of his bias towards social interaction and communication ensuing community and identity formation. In fact, at the time of Deutsch's writing, constructivism was not yet an approach associated with IR. And yet, one could certainly make the argument that despite his methodology and logic, Deutsch's approach was biased towards what would later become known as constructivism in the IR community. In particular his DVs of a "we-feeling" and a "sense of community" framed by interaction and interdependence suggest the element of identity change. All of this would become enduring

[195] Deutsch et al. (1957).
[196] Haas (1964) for functionalism and especially neo-functionalism in international politics.

constructivist variables. In any case, Deutsch's security community model has had a tenacious and enduring impact on latter-day constructivist and Asia-constructivist scholarship.

Emmanuel Adler for instance once wrote that Deutsch was possibly slightly ahead of his time. [197] Combining normative Kantian principles with interactive forces of globalisation did not bode well during the early Cold War years, vastly dominated by realist self-help and balance of power considerations. However, following the demise of the Soviet Union, scholars as well as seasoned statesmen searching for a way out of violent conflict were possibly more amenable to an IR theory based on norms, values, and cooperation. In a context of a normative environment conducive to peace and stability, an epistemological development materialised in political thought. A newly interested circle of scholars, beginning with people such as Hopf, Wendt, Adler and others, explicitly picked up Deutsch's concept and gave it a more distinctively constructivist edge. Instead of relying on Deutschian functionalism, scholars partial to the sociological concepts of constructivist and associated conceptual frameworks concentrated on typical constructivist strongholds of norms, social learning, shared practices, and collective identification in lieu of functionalist spill-over effects. Wendt's arguments in this respect have already been summarised and need not be repeated.

Adler and Barnett's edited volume[198] specifically referred to Deutsch and aimed to demonstrate how socialisation and social learning could establish and transmit transnational norms and values and would subsequently define the parameters of what constitutes appropriate behaviour within a cooperative structure (international/regional system). The authors support the basic Deutschian assumption and his intervening variable (IntV) of integration decreasing the likelihood of war and note that

> *violent conflict can be mitigated and even eliminated by the development of mutual identification among peoples and not through*

[197] Adler/Barnett (1998b): 4.
[198] Adler/Barnett (1998).

> *conventional practices such as balancing and collective security schemes.*[199]

However, Adler and Barnett also relied on rather different variables. Whereas Deutsch emphasised functionalist cooperation fostering integration and ultimately reducing violence, Adler and Barnett see normative social forces at work. To them, integration is not only institutionalisation of functional cooperation, or transaction, but add the institutionalisation of '*mutual identification, transnational values, intersubjective understandings, and shared identities*'.[200] The authors use their three characteristics of community as introduced in chapter 1; shared identity; direct, frequent interaction; and reciprocity. The emerging we-feeling nurtures a sense of collective responsibility and loyalty among the community.[201] Adler defined security communities accordingly as being

> *socially constructed because shared meanings, constituted by interaction, engender collective identities. They are dependent on communication, discourse, and interpretation, as well as on material environments*.[202]

Evidently, post-Cold War constructivists did not challenge the significance of Deutschian transaction as such, but instead of emphasising functionalist spill-over effects, they supplemented it with constructivist notions of shared meanings and social learning. Presuming that socialisation requires a "vehicle", some constructivists added the conditioning variable (CV) of institutional facilities. Amitav Acharya for instance highlights the importance of transnational institutions and regimes in order to cement an emerging transnational identity via formal integration. Acharya's CV of institutionalisation and legalisation prompt members to increasingly regard their respective futures as interconnected and facilitate the process by increasing the belief in a common destiny.[203]

Multilateral security cooperation of course is not an exclusive stronghold of constructivists and contrasting it to more rationalist theories of "security regimes"

---

[199] Adler/Barnett (1998): 59.
[200] Adler/Barnett (1998): 59.
[201] Adler/Barnett (1998b): 31.
[202] Adler (1997): 258.
[203] Acharya (2014): 20.

increases conceptual understanding. Consider for instance Robert Jervis' definition of a security regime.

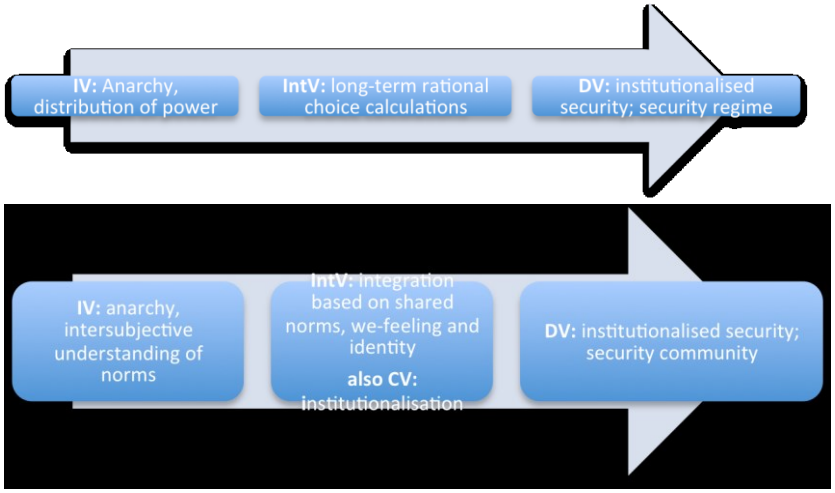
> *By a security regime I mean [...] those principles, rules, and norms that permit nations to be restrained in their behavior in the belief that others will reciprocate. This concept implies not only norms and expectations that facilitate cooperation, but a form of cooperation that is more than the following of short-run selfinterest*.[204]

Note the emphasis on belief and reciprocation. States act in good faith and expect positive action in return, leading to a long-term positive-sum result. Allan Collins writes that a security regime '*constrains members so that they rarely practice self-help, and if they do so they must weigh carefully the opportunity cost of defecting and thus disrupting the relationship*.'[205] Interests are, as Janice Gross-Stein neatly puts it '*neither wholly compatible, nor wholly competitive*.'[206] Members of a security regime therefore do not act on the basis of internalised collective values but on long-term cost-benefit calculations. While reserving the right to defect, rational states are biased towards making sacrifices in form of rule compliance in anticipation of security benefits. In other words, security regime members are part of a *Gesellschaft* that has realised that their respective individual security might be enhanced by some degree of collective security and diplomatic interaction on the lowest common denominator. They act in Weber's sense z*weckrational* and their decision making follows March and Olsen's logic of consequence. The dean of Southeast Asian studies, Michael Leifer, meant precisely this when he called ASEAN an '*embryonic security community*'.[207] Instead of using community in the above defined sense, Leifer meant an institutionalisation of a balance of power, defined as not a situation but a policy aimed at '*preventing the establishment of undue dominance by one or more states*'. Hence, in a context of regional reconciliation, regional policy would promote '*an institutional framework of mutual constraint*'.[208]

---

[204] Jervis (1982): 357.
[205] Collins (2013): 13.
[206] Gross Stein (1985): 600.
[207] Leifer (2005b): 100.
[208] Leifer (2005): 153.

This form of multilateral security cooperation therefore accommodates rationalist notions. Although security regimes are of lesser integrative quality than communities, they also mitigate the adverse consequences of anarchy by facilitating and institutionalising rule compliance and thus lessening uncertainty and ultimately, the security dilemma. A second reading of security regimes reveals that members do remain essentially self-interested states and continuously weigh up cost and benefits of compliance and defection. Thus, although uncertainty and the risk of a security dilemma may be limited, they are evidently not yet erased and there is no unequivocal dependable expectation of peaceful change, yet.



Before relating the above to the particularities of Asian regionalism from which this chapter will then categorise Asia-constructivism, one may ask whether there are clearly defined steps of community development to be found in constructivist and security community literature? Objective readers might feel slightly disappointed. Generally, the literature tends to concentrate on theory and the phenomenon as such and scholars have been rather vague and cautious as to a clear-cut characterisation of the steps leading towards an eventual (security-) community which inhibits process tracking. This changed somewhat in 2010, when Charles Kupchan[209] outlined his approach. In the tradition of earlier English School scholars such as Hedley Bull,[210] Kupchan attempts to build bridges across the theoretical divides of rationalist theories and constructivists and sets out to disclose the initial

[209] Kupchan (2010).
[210] Bull (2002).

conditions and the sequential process by which security communities can emerge. In agreement with realist traditions, a key element of the English School is that the international/regional system is indeed characterised by anarchy. However, there are socio-cultural (e.g. values) and cooperative elements (e.g. diplomacy) that affect this condition and interaction within it. States necessarily interact and may eventually form what the English School calls an "international society".[211] States may realise that they share some common interests as well as common values and may form a society within which states sees themselves as bound by a common set of rules, such as sovereignty, non-violence, or the importance of honouring agreements. Based on this, states cooperate within sets of common institutions and regimes.[212] Unlike a mere system of states within which states may be in contact with each other without necessarily sharing common interests or values, a society of states accepts certain limitations within the condition of anarchy and voluntarily restrict their own total sovereignty to some extent in order to further greater interests of security and/or cooperation. While English School scholars, like strict rationalists, see the structural condition of anarchy as a crucial IV framing interaction, they emphasise the DV of consensus building mechanisms, such as rules-based institutions and subsequent socialisation processes based on shared values and norms.[213]

Phase	Activity	Attribute Assessed	Resulting Affect
I	Unilateral Accommodation	Intent	Hope
II	Reciprocal Restraint	Motivation	Confidence
III	Societal Integration	Character	Trust
IV	Narrative Generation	Identity	Solidarity

Kupchan's four-step process; Kupchan (2010): 36.

This is the foundation of Kupchan's methodologically eclectic approach to Southeast Asia in which he identifies an unambiguous four-step process of

[211] Bull/Watson (1984) for more on the international society.
[212] Bull (2012): 13ff.
[213] Goh (2012) provides a great English School approach to Asian regionalism.

community building, suggesting a path-dependant progression from a state of Hobbesian anarchy towards stable peace. [214] Admittedly, this is a courageous endeavour, for it allows for practical evaluation and progress tracking in form of case studies. Reconciliation, Kupchan argues, begins with an act of (1) "unilateral accommodation" by one nation state of another. Confronted with manifold security threats, nation states seek to limit insecurity by exercising restraint and accommodating the adversary's position. Doing so signals the intent to take the firststep away from geostrategic competition, opening the door for detente. Subsequently, the practice of restraint takes hold. The accommodated nation state positively responds to cordial signals and a phase of (2) "reciprocal restraint" begins. Former adversaries trade concessions and practice a reciprocal accommodation, setting the scene for a lasting rapprochement. Hitherto, this model treats reconciliation as chiefly an elite process. The third phase of (3) "societal integration", though, encompasses positive socialisation of civil society and the private sector, as citizens interact and interest groups begin to lobby in order to reduce economic and political impediments. This provides a real boost to the reconciliation process. The fourth and final phase of community formation, (4) "generation of new narratives and identities", follows from this civil society engagement process and is characterised by a modification of the general political discourse around the former adversary. Through political, economic, and cultural symbolism such as common charters and statements of collective purpose, mutual perceptions are altered and identities begin to change. The distinction of the self and the other among former antagonists fades and gives way to the much-cited we-feeling.[215] The constructivist

[214] Kupchan (2010): Chapter 2.
[215] Kupchan (2010): 35ff; also Khong (2004) for a sense of "we-ness" through regional cooperation.

bias of this four-phased development of overcoming initially negative identification and subsequent cooperative security based on merging identities and interests is obvious. To some extent though, Kupchan is also eclectic and a functionalist, for he highlights the initially instrumentally motivated attempt to maximise ones security from which increased interaction follows. Upon careful reading it appears that Kupchan has reversed the Deutschian logic. Whereas Deutsch treated security as the unintended outcome of community building through increased transaction, Kupchan treats security as the cause of an emerging community. In the Deutschian logic, a general condition of increasing interdependence accelerates interaction/transaction and leads to the desirable, yet unintended condition of stable peace. Kupchan however treats the desire for security in a Hobbesian world as the essential IV of his research. It is certainly noteworthy how Kupchan utilises the quintessential realist IV of structural anarchy and state interest in terms of security as his point of departure, and arrives via transactionalist forces at what is essentially a constructivist destination of shared identity.

To be fair to Adler and Barnett, they had also imagined a somewhat linear path from a (1) "nascent" and (2) "ascending" towards the ultimate (3) "mature" security community.[216] Yet, they have been significantly less precise and thus, arguably less confident and falsifiable than Kupchan. At the nascent stage, Adler and Barnett argue, a group of states begin to cooperate in order to increase security and/or lower the cost of transactions and/or encourage further interaction among them.[217] Although this group may retain some internal rivalry and competition, this is muted by an evolving common identity, converging threat perceptions, and

Basic theoretical architecture of Kupchan's community building process

[216] Adler/Barnett (1998b): 49ff.
[217] Adler/Barnett (1998): 37ff.

anticipation of economic gains. At that point, security may or may not be the motivating factor for an increase in interaction. While states may have come to realise that they share common security interests and their respective individual security might be enhanced by some degree of collective security on the lowest common denominator, integrative forces may just as well be economic benefits or other interests, including social interests. This arrangement is arguably akin to a security regime. Deutsch had called this a "no-war community".[218] At Adler and Barnett's ascendant stage, cooperation has significantly increased, including such sensitive areas as military cooperation. Mutual trust increases and a transition towards intersubjectivity of meanings and expectations materialises. At this point, a common identity begins to unfold and both structure and agent change and, in constructivist terms, mutually re-construct each other. The final stage of a mature community is reached once a common identity has emerged and trust and cooperation has increased to a level where supranational institutionalisation is possible. There is a dependable expectation of peaceful change and violent conflict unthinkable, for members observe utmost self-restraint and expect no military threats from within the community. At this stage, the security community is characterised by institutionalisation and even certain degrees of supranationalism. Similar to Deutsch, the point of departure is also transactionalist. However, in constructivist tradition, Adler and Barnett account from the outset for intersubjective social factors.

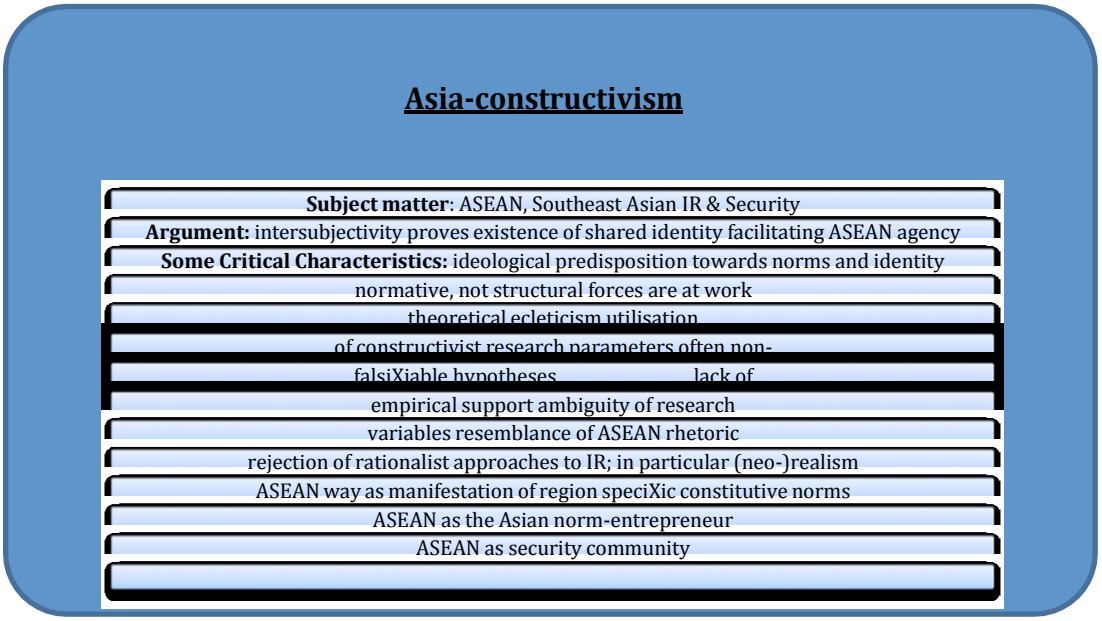
There is no doubt that traditional constructivism has added some valuable insights into international politics in general. In particular taking account of non-materialist factors in order to explain a sense of normative appropriateness and what Max Weber called value-rational action which may well be a factor in policy decisions. Constructivism has also greatly enhanced both the scope and the intellectual quality of the debate in the IR community. The following investigates how this has impacted specific studies of Asian IR.

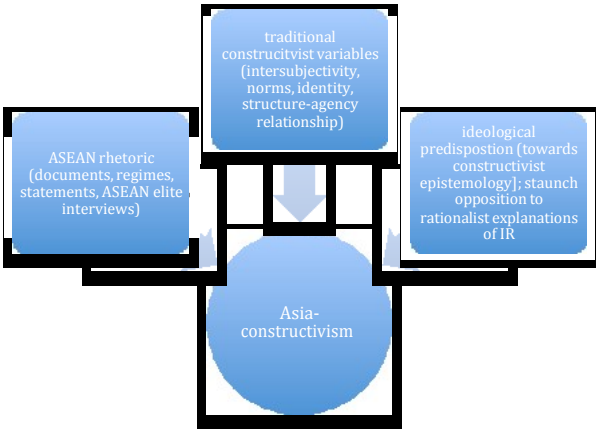
---

[218] Deutsch (1961): 103.

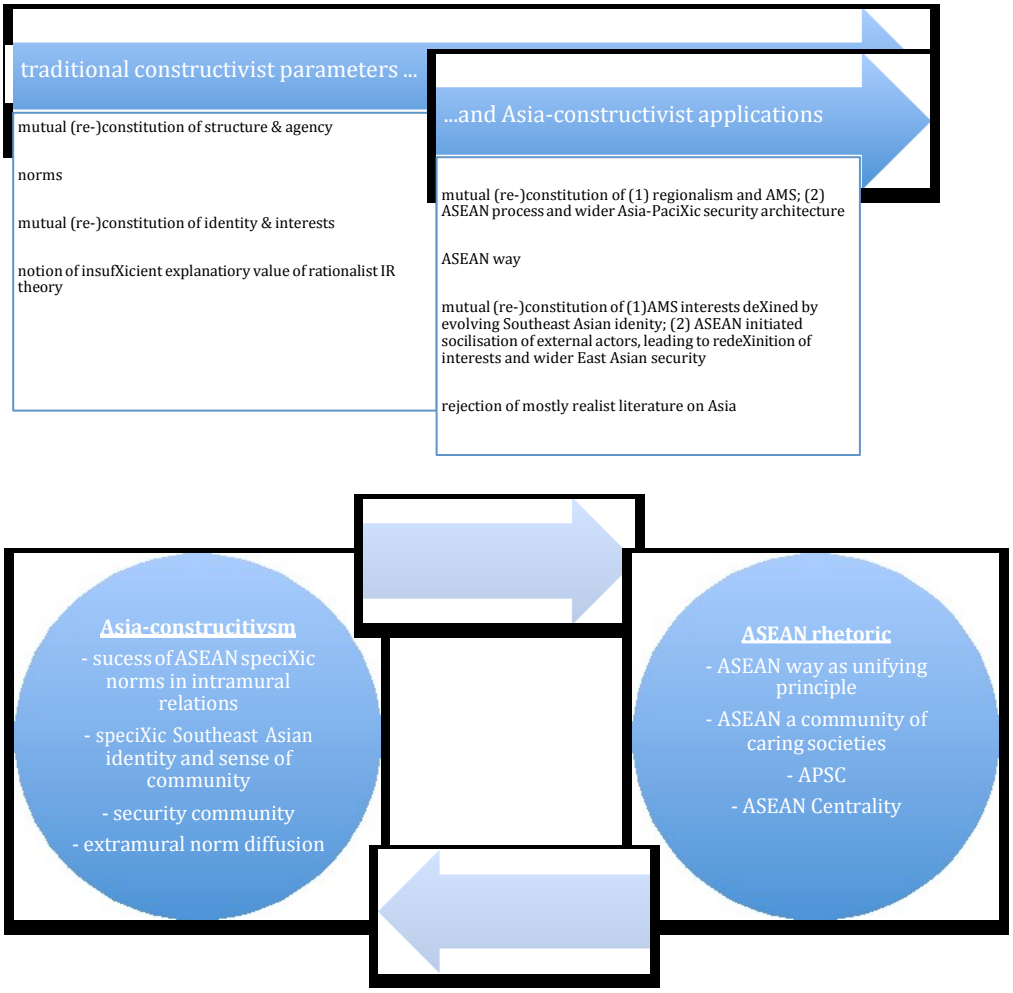
3.2. Asia-Constructivism

[…] structural factors play only a limited role in determining the extent and nature of both multilateral activity and multilateralism in a given regional security complex. It is the cognitive features of the environment – the attitudes of the players toward each other, the rule and norms governing international interaction, the scope and nature of the security dilemmas that the actors perpetuate among themselves – that effectively determine the particular form of regional order that results.[219]





[219] Job (1997): 176.



Until the late 1990s, analyses of Southeast and East Asia tended to be mainly realist and neo-realist in nature.[220] In realist tradition, both the idea of an institutionalised community of states in general and ASEAN as an organisation in particular are at best regarded as secondary to balance of power considerations in the Asia-Pacific. Stability and security hinge on the crucial great power relationships to which Asia has always been a central stage. An amalgamation of weak nation states such as ASEAN is seen as marginalised accordingly.[221] Realist assessments tend to focus on the national interest of AMS and the ineffectuality of the ASEAN way resulting in ASEAN being often seen as not more than a "talk shop". Initially, there was great credence to neo-realist approaches. Ever since its founding, ASEAN was essentially the

[220] Earlier key authors include Leifer (1989) and Friedberg (2000); also Peou (2002) for a good summary of the development of IR theory in Southeast Asia.
[221] Friedberg (2000); (2010); Khoo (2004); (2015); Jones/Smith (2002); (2006); (2007).

institutional response to regional balance of power dynamics and traditional security threats. Self-help dynamics and security consideration were what motivated the o-AMS to cooperate. [222] However, the general advent of constructivism in post-Cold War IR also impacted IR of Asia scholars, most dominantly in relation to the security community concept. Constructivism more than other theories conformed to the post-Cold War *zeitgeist*. In particular the post-1997 years brought to the fore plenty of East and Southeast Asia analyses informed by constructivist variables and concepts. In a region where Deutschian prerequisites of democracy and liberal values were, and still are, few and far between, the emergence of non-liberal notions of security communities in the 1990s significantly aided application to the Asia-Pacific. [223] A new admittedly innovative type of constructivism biased scholars developed approaches to Southeast Asian IR that this thesis believes ought to be grouped and categorised as Asia-constructivism. This new type of regional observers is informed by an analytical mix of constructivism, functional regional institutionalism, and area studies.

Although not all identity and norm based claims and observations are universally accepted and variations exist within the Asia-constructivist debate, there is a strikingly frequent reiteration of several mantras. More often than not, analyses are based on a rejection of state-centric realist approaches, arguing those are based on European experiences and unfitting to the post-Cold War Asian world.[224] Take for instance Alistair Johnston's claim that realist approaches '*do not work well in the region.*'[225] Or alternatively David Kang arguing that those theories [neo-realism] '*do a poor job as they are applied to Asia*.' [226] In 1999, Nikolas Busse dismissed realist notions of ASEAN and Southeast Asian regionalism in general, arguing that narrow self-interests in AMS are not what defines the region and one ought to rethink and consider a collective identity based on social practice and interaction, as the real

---

[222] Leifer (1998); (1996).
[223] Adler/Barnett (1998b); Peou (2005); Bellamy (2004); Collins (2013); (2014); Acharya (2014); Kupchan (2010); Solidum (2003).
[224] Examples include Kivimaki (2012); Shambaugh (2005b); Kang (2007); Goh (2013); Johnston (2012).
[225] Johnston (2012): 59.
[226] Kang (2003): 58.

glue holding ASEAN together.[227] Accordingly, the main focus of Asia-constructivism became the research variables of identity, norms, and social learning within a decisively non-liberal and as chapter 2 has demonstrated heterogeneous Southeast Asia. Common norms and identity sharing function often as IVs and facilitate practises of regional socialisation and social learning, resulting in a more or less robust regionalism.[228] Analyses have often focussed on the role of ideational forces in Southeast Asian institutions and processes and thus, almost exclusively on ASEAN.[229] Asia-constructivism tends to highlight the ostensibly great extent to which regional states have managed to transcend the vicious circle of *realpolitik* by means of regional institutions, bound by common norms and practices and characterised by an ever increasing pan-East Asian identity and reciprocal socialisation dynamics.[230]

ASEAN has been analysed selectively as a security community, a community of institutionalised shared identity, norms, values, and shared understanding of regionalism as well as the living proof for a manifestation of pan-East Asian intersubjectivity. AMS are generally seen as components of a cohesive collective, capable of managing intramural relations on the basis of shared norms, practices and values and as being on a path towards fulfilling its AC15 ambitions. The ASEAN way is deemed to be at least a modus vivendi for post-colonial Southeast Asian nations still navigating the murky waters in between continued nation building and regional integration processes. But it is also more than that. The ASEAN way is celebrated for being the manifestation of intersubjective understanding of regional norms and shared values. It is celebrated for the degree of cooperational flexibility it allows AMS and for its ability to transcend Southeast Asia to be projected into the wider Asia-Pacific, endowing a collective of in material terms weak nation states with significant power in a constructivist sense. Supposedly, ASEAN's centrality is the pivot of regional stability and the driver of extramural institutions and regimes.

---

[227] See Busse (1999): 53ff.
[228] In particular Acharya (2014).
[229] Acharya (1997); Haacke (2003); Busse (1999).
[230] Acharya (1997); (2010); (2014); Ba (2006).

This new school has flocked the field of ASEAN studies. Some critical observers have identified a '*new constructivist orthodoxy*' in Southeast Asia.[231] In fact, aside from a few realist[232] and some recent popular non-academic publications,[233] this new Asia-constructivist school has come to all but dominate the academic debate, marginalising alternative approaches. Indeed it appears that Asia-constructivists have declared war on alternative, rationalist approaches, frequently universally discarding those as Eurocentric and outdated. Traditional and Asia-constructivists are characterised by similar research variables, perspectives, and conclusions and thus, evince similar strengths and weaknesses. Asia-constructivists appear to be unduly selective with their evidence and eschew sober hypothesis testing. Asia-constructivists seem too often to get caught up in epistemological debates and their sometimes sweeping claims are based on questionable IVs, such as collectively shared norms. Conclusions are unconvincing and often supported only by ASEAN's own rhetoric. ASEAN, by referring to itself as a community and by progressively institutionalising as such within the scaffolding of AC15, has done its bit to encourage the now inextricable link between normative perspectives on security, community and Southeast Asia. Nor can it go unnoticed that there is a significant tendency towards "herd behaviour" by which scholars whom I group as Asia-constructivists almost exclusively cross-reference each others' work. Interestingly, ASEAN-centred extramural mechanisms aside, Asia-constructivism is scarce in wider non-ASEAN Asian IR. I therefore suggest that Asia-constructivist prioritise ideology at the expense of empirical analysis and are thus guilty of a predisposition that obscures sound analyses. The theoretical and methodical resemblance to traditional constructivism justifies the argument that a sub-theory, henceforth termed Asia-constructivism, has emerged. Categorising and challenging Asia-constructivism is the raison d'être of this thesis.

---

[231] Khoo (2004): 45.
[232] Jones/Smith (2007); Khoo (2015).
[233] Kaplan (2014).

3.2.1. Asia-Constructivism and ASEAN Community

> *We in ASEAN have created a community of Southeast Asian nations at peace with one another and at peace with the world, rapidly achieving prosperity for our peoples and steadily improving their lives. Our rich diversity has provided the strength and inspiration to us to help one another foster a strong sense of community. (1997)*[234]
>
> *ASEAN shall continue to foster a community of caring societies and promote a common regional identity. (2003)*[235]
>
> *[ASEAN sets out strategies for norm shaping and sharing] in order to contribute to building collective responsibilities and forming a standard or common adherence to norms of good conduct in a democratic, tolerant, participatory and open community, as a means to consolidating and strengthening ASEAN as solidarity, cohesiveness and harmony (the "we feeling"). (2004)*[236]

Lamenting that even the most sophisticated analyses of the Asia-Pacific region allegedly ignored the significance of ideational questions, Richard Higgott was one of the earliest scholars to stress the potential importance of norms and identity in the Southeast Asian context, setting the stage for plenty more to follow.[237] Busse found that AMS often acted beyond narrow defined national interests because it was felt that '*countries had something more important in common - namely being a member of ASEAN*.'[238] In his view, interests of ASEAN Member States (AMS) do not derive from narrowly defined material national needs but from a collective identity based on commonly shared norms. Indeed he claims that there was no such thing as distinctive individual AMS national interests at all, since in the ASEAN case, interest could no be seen as consequence of things such as strategic location or economic structure of individual AMS.[239] Reminiscent of Wendt, Busse sees identity as the basis of interests and one ought to factor in that the ASEAN group has acquired a collective identity when considering interstate relations in Southeast Asia.

---

[234] ASEAN Vision 2020 (1997): Preamble.
[235] Bali Concord II (2003): 10.
[236] Vientiane Action Programme (2004): II.1.2, available: www.asean.org, accessed: 15/02/2015.
[237] Higgott (1994): 368.
[238] Busse (1999): 54.
[239] Busse (1999): 55.

Yet, before traditional community concepts could be applied to Asia, some normative modifications had to be made. Deutsch had explicitly used post-World War II liberal democracies in Europe that were eventually to become the EU as an example. How can this concept be applied to a region as heterogeneous as Southeast Asia? Back then, Myanmar was still a far cry from first steps of democratisation and liberalisation and even today progress remains feeble. Other AMS such as Brunei, Laos and Vietnam remain under more or less authoritarian rule, the democratic nature of Thailand's political system is at best unconvincing and recently deteriorating and one would find it a tough task to argue that semi-democratic Singapore under the uninterrupted Lee dynasty is a liberal pluralist polity. How can nation states as diverse as Singapore and Myanmar or Laos and Indonesia have an intersubjective understanding of values and norms not to mention share associated principles?

In terms of the function of constitutive and regulative norms, it might not matter whether a region consists of more or less liberal democracies. In theory, appropriateness can be defined in any way. As for the form – or the nature – of particular norms, though, Adler and Barnett felt the need to rectify Deutsch's liberal disposition.[240] Although in 1992 Adler had still argued that security communities share not just any kind of values but specifically '*liberal democratic values*' in order to facilitate a strong civil society and identity formation,[241] six years later Adler and Barnett's amendments did indeed allow for '*illiberal security communities'*. Whilst a set of intersubjective values among a group of states is necessary to develop a community, those need not be liberal-democratic values at all. A community building project does not have to follow a Kantian path dependency as long as the constitutive norms, and thus an intersubjective understanding of appropriateness, are shared and in accordance with prevailing collective interpretations of reality, liberal or illiberal.[242] Other Asia-constructivists have also argued that shared illiberal

[240] Adler/Barnett (1998b): 40/1.
[241] Adler (1992): 293.
[242] Adler/Barnett (1998b): 21.

values can just be as robust a basis for community development as liberal ones.[243] Charles Kupchan agrees, doubting that liberal values and democracy are a necessary precondition for a stable '*long-term peace to break out*'.[244] He declares that some minor disagreements notwithstanding, academic consensus existed that ASEAN is indeed a successfully integrated normative community. [245] Albeit questioning ASEAN's motives and being ambivalent about the exact current level of integration, Kupchan names ASEAN as living proof for the possibility of successful illiberal security communities. According to those authors, Illiberal communities were bound less by a shared commitment to liberalism and popular democracy but by a practice of self-restraint.[246] There appears to be a trend towards reinvigoration of a much older sociological awareness of self-restraint as an essential part of organised human society as identified by sociologist Norbert Elias' work on "civilising processes". Elias argued that self-restraint prevents illegitimate violence within sophisticated social relationships and is therefore a substantial part of the civilising process of humankind.[247] Asia-constructivists have allowed Elias' practice of self-restraint to transcend the domestic realm and have intergovernmentalised it as an essential practice in foreign and security policy. The practice of self-restraint developed from a common understanding of non-violence as a constitutive norm, becomes a habit of peaceful conflict management through social learning, is thereby internalised and develops as the new gold-standard regardless of whether or not actors share a similar ideology or domestic norms.[248] In lieu of liberal-democratic norms, practices and habits facilitate trust, increase certainty and make violent conflict improbable. Emmanuel Adler champions the advance of "developmentalist" security communities instead[249] and repeats and re-conceptualises his practice- rather than ex ante value based approach and specifically refers to ASEAN when he argues in favour of the possibility of the

---

[243] Kivimaki (2001).
[244] Kupchan (2010).
[245] Kupchan (2010): 231.
[246] Adler (2008); Kupchan (2010): 54.
[247] Elias (1982).
[248] Bjola/Kornprobst (2007) for an explanation of how this habitus develops.
[249] Adler/Barnett (1998): 41.

> *development of (incipient) non-liberal security communities, such as the Association of Southeast Asian Nations […]. As communities of practice, which are constituted around liberal practices, spread to non-liberal communities, the latter may be able to develop self-restraint subjectivities, such as cooperative security, that will help them evolve into non-liberal security communities*.[250]

Hence, while the independent (IV) and dependent variables (DV) in this particular part of Asia-constructivist literature remain true to traditional constructivism and traditional security community literature, Asia-constructivists eradicate the liberal content, or form, of the traditional variable of liberal norms and exclusively rely on the function of shared norms in order to make the concept compatible with the Southeast Asian context. Indeed, if the norm's content is practice and not idealistic, then form and function of norms merge into one and the same thing. Moreover, the practice of self-restraint becomes both the cause and the outcome of community building. It is here where critics could begin to seriously leverage the accusations of tautology against constructivist logic.[251]

No discussion of constructivism and ASEAN can take place without the perhaps most prolific contemporary scholar on Asian regionalism, Amitav Acharya. Acharya believes the fact that the o-AMS had not fought an outright war since ASEAN's inception despite gloomy prospects during the Cold War proves ASEAN and the ASEAN way to be '*one of the most successful experiments in regional cooperation in the developing world*.'[252] Without explicitly stating as much, Acharya's numerous contributions to the study of Asian regionalism[253] rely on constructivist reasoning, highlighting in particular shared norms and ideas as the drivers of a common regional identity, precipitating a sound community. His reoccurring argument is that AMS' foreign policy by and large does not agree with realist power balancing logic and he explicitly rejects notions that hegemony and interest politics are decisive factors in institution building. Instead, Acharya views ASEAN as a social construct within which intersubjectivity and shared identity and we-feeling, not coercive

---

[250] Adler (2008): 206.
[251] Nicholas Khoo (2004) has convincingly argued that tautology is a common weakness in constructivist literature.
[252] Acharya (2014): 4f.
[253] Acharya (1997); (2000); (2002); (2003); (2008); (2009); (2014).

power is the force behind ever deepening institutionalisation. Like most Asia-constructivists, he claims that the development of ASEAN and the ASEAN Community (AC15) is a process of institutionalisation of shared Southeast Asian norms, allowing elites to interact in a peaceful manner within clearly defined institutions and regimes.[254] Although conceding that there had been some setbacks in the late 1990s, he understands contemporary ASEAN as a security community in between the nascent and ascendant stage in Adler and Barnett's sense. Largely evincing characteristics of nascent security communities, Acharya detects a maturity of ASEAN identity that would be expected in the next higher, ascendant phase.[255] Acharya does acknowledge the risk of decline in the quality of security communities to what he calls '*decadent security communities'*. Reasons for degeneration of the security community can be inter alia inadequate governance capability in the face of new threats, membership expansion to include previously unsocialised states, or material burdens.[256] In 1991 Acharya claims that '*the current state of relations between ASEAN states is qualitatively different from that at the time of the grouping's formation*.' He even goes as far as to claim that '*ASEAN has indeed become a security community in the sense that its members do not foresee the prospect for resorting to armed confrontation among themselves to resolve existing bilateral disputes*.' Thanks to the '*habit of cooperation developed through political, diplomatic, cultural and military exchanges'*, Acharya continues, '*ASEAN states have moved to a point at which intra-ASEAN conflicts have either become irrelevant or been muted considerably'*.[257] In 2000, he becomes somewhat more cautious and points out that AMS acted as a nascent community, evincing habitual intramural norm compliance and development of a shared Southeast Asian identity. This cohesion allegedly enhances regional resilience. Having supposedly read Alexander Wendt's works on the mutually constitutive structure and agency relations, Acharya asserts ASEAN's multilateralism not only shapes regional power politics by providing

[254] Acharya (2005): 107.
[255] Acharya (2014): 264.
[256] Acharya (2014): 31f.
[257] Acharya (1991): 172f.

ideational leadership, but '*may even enable states to transcend the balance of power approach*.'[258]

Fundamental to his argument is what he terms the "imagined community" as ASEAN's cognitive prior.[259] Albeit the lack of a discernible sense of a collective identity in the past, Acharya argues Southeast Asian states had long been characterised by certain socio-cultural commonalities. Increasing regional cooperation had set in motion a still on-going process of socialisation precipitating incremental Southeast Asian identity formation beyond mere material interests. With Southeast Asian regionalism evolving and ever more integrating in the decades following ASEAN's inception, the region had become less defined by self-interested nation states and geographical borders but increasingly by a shared sense of a common Southeast Asian identity.[260] In *The Quest for Identity,* Acharya argues[261] that regions are first imagined and then constructed. He analyses how AMS institutionalised regional socialisation and norms within ASEAN and how that process allows ASEAN leaders to "imagine" themselves as part of a distinct Southeast Asian region, which led to remarkably great regional coherence and subsequently ever deeper institutionalisation.

The question of course is how identity can be measured. Acharya admits that measuring identity poses a great challenge, but to his credit does address the issue. He argues that identity emerges from socialisation and interaction processes, based on shared norms (ASEAN way).[262] Hence, a commitment to and acceptance of an intersubjective set of norms leads to the institutionalisation of some form of shared identity. Acharya does get more specific, though. He believes three key indicators capable of determining when a collective identity has materialised. The first is a commitment to multilateralism, replacing a preference for bi- or unilateralism. Second is the development of security cooperation, including collective defence and security and collaboration against internal threats. Thirdly, identity formation can be

---

[258] Acharya (2000): 184.
[259] In particular Acharya (2009): 21ff; 69-111.
[260] Acharya (2014): 24.; also Busse (1999).
[261] Acharya (2000).
[262] Acharya (2014): 24f.

sensed from the boundaries of membership criteria, i.e. who can be part of the community and who cannot.[263]

Shared identity indicators ; Acharya (2014).	
1	Multilateralism replaces unilateralism
2	Security cooperation
3	Definition of who is "in" and who is "out"

Intramural interaction based on shared belief systems and subsequent socialisation processes thus, have to some extent allowed AMS to transcend *realpolitik*.[264] This agrees with traditional constructivist notions as to the mutual constitution and reconstitution of structure and agent-interest. As we know now, Wendt and others have argued that both are non-static and depend on the intersubjective interpretation of both elements. Acharya's IV, whether defined as shared beliefs, norms, or identity, also resound with ASEAN elites. Former ASEAN Secretary General Rodolfo Severino, said in an interview in the aftermath of the Asian financial crisis for instance that

> *[t]he main reason for ASEAN's enduring strength has been the stake that each member has in the viability of the association. This stake goes beyond the results of the economic and other forms of cooperation that ASEAN has been undertaking over the past three decades. ASEAN is more than an association of states. It is also a process, a spirit, a state of mind.*[265]

Here Severino implicitly confirms Acharya's constructivist notion that ASEAN begins as an imagined community whereby the drive to cooperate is derived from a cognitive prior; or in Severino's words '*a state of mind*'. Although a political statement in Severino's case, he and Acharya both share the logic of a cognitive prior upon which ASEAN and its cooperative norms could develop.

Building on the work of Acharya, Timo Kivimaki has placed the alleged norms of the ASEAN way at the heart of first the ASEAN, and then the East Asian security community. He claims the norms specific to the ASEAN way result in a practice of intergovernmental regionalism that has contributed to the *Long Peace of East*

---

[263] Acharya (2015): 24f.
[264] Acharya (2005): in particular 103ff.
[265] Severino (1999).

Asia.[266] In particular the norm of non-interference as well as a reinterpretation of the raison d'etre of the state in general by the elites, the new '*state identity'*, has contributed to a political culture of governance and diplomacy that is essentially conflict adverse and highly conducive to peace. Since the establishment of ASEAN, regional political culture had moved on from its former ways of seeing the nation as an instrument of power and prestige and fostered an atmosphere of a '*developmentalist commitment'*. ASEAN is the institutional outcome of elites having come to regard the state as an instrument to realise national development and prosperity, possible only in a region with a degree of commonly shared principles, goals, and identity.[267] The reorientation of Southeast Asian identity away from conflict and revolution towards the common endeavour of development fostered an "ASEAN peace". As ASEAN's norms and practices associated with the ASEAN way and the new political culture spread further into East Asia in post-TAC times, an ASEAN peace apparently became an "East Asian peace".[268] Uncommon in research relying on normative IVs, Kivimaki utilises mostly quantitative research methods for evidence. He analyses the decrease in battle-deaths and interstate conflict first in ASEAN since its inauguration and then in the rest of East Asia post-1979 '*since only numbers can reveal tendencies, systematic regularities and the big picture of peace and war in East Asia'*.[269] Very elaborate and scientifically sound, Kivimaki shows in great detail that ASEAN membership has coincided with a significant reduction in both battle fatalities and interstate conflicts among AMS. This trend continued in the rest of East Asia as countries there adopted the ASEAN way post 1979.[270] '*Is it possible*' Kivimaki asks, '*that the long peace of Asia began in ASEAN and spread, like a benign disease, to the rest of East Asia*?' His answer is a resounding yes, this "benign ASEAN disease" ostensibly significantly contributed to the peacefulness of East Asia.[271]

---

[266] Kivimaki (2011); (2014).
[267] Kivimaki (2014): 23f.
[268] Kivimaki (2014): 65ff.
[269] Kivimaki (2014): 181.
[270] Kivimaki (2014): Chapter 4; Kivimaki (2011).
[271] Kivimaki (2014): 65.

Also quite positive that ASEAN constitutes a sound security community is Alex Bellamy. The building bloc of his argument is reminiscent of that employed by a great many traditional constructivists. Rejecting classical realism, Bellamy believes the Hobbesian "state of nature" to be not more than a theoretical narrative and theories based on this realist IV are ill-informed from the outset. Instead, Bellamy relies on the English School international society concept and argues that all interactive system are sociological constructs by definition. [272] Like other Asia-constructivists, Bellamy also focuses on regional identity but is slightly more precise as to its origin than Acharya. By not shying away from addressing the elephant in the room, Bellamy dares the direct comparison between ASEAN and the EU and underlines the significantly different depth of institutionalisation.[273] Reminding of David Kang's claim above, Bellamy argues that criticism based on an alleged under-institutionalisation of Southeast Asian regionalism is based on an inappropriate and indeed misleading application of European standards that assign an apparently inappropriately great relevance to strong institutions in general. As far as ASEAN is concerned, deliberately informal networks of interaction and the ASEAN way adequately replace the policy coherence inducing quality of rules-based institutionalism. Indeed, to him, ASEAN has built a '*loosely coupled community of values, interests and norms*'[274], which has developed and strengthened since its formative years. Although ASEAN had not embraced peoples' based integration but followed an elite-led path, the outcome is what matters and AMS had achieved their primary goal of becoming a '*no war community'*. [275] Bellamy's analysis therefore evinces Acharya-esque variables, such as shared norms as a tool – or starting point – in order to achieve non-violence standards. Quite unlike the European experience, Bellamy believes ASEAN's community quality does not originate in a shared historical disaster, an ill-fated bellicose past creating a strong regional identity. ASEAN rather emerged from a commonly shared sense of vulnerability of embryonic, post-colonial

[272] Bellamy (2004): 1ff.
[273] Bellamy (2004).
[274] Bellamy (2004): 88; 180.
[275] Bellamy (2004): 181.

statehood, threatened by instability. [276] Bellamy therefore also indirectly presupposes a cognitive prior – without referring to it as such – in the form of a shared sense of disadvantage deriving from feeble (post-)colonial nationhood. Arguably, this all but resembles Acharya's "shared beliefs" and Severino's "state of mind". In Southeast Asia, unlike in Europe, processes, as manifest in the ASEAN way, rather than historical calamities are the bedrock of unity and cooperation. Bellamy's IntV are consequentially the regulative norms of the ASEAN way, eventually producing habitual non-violence and cooperation. ASEAN's community quality therefore depends on norm construction through interactive processes. Communication has led ASEAN's elites to realise that they share a common set of interests and ideas about possible cooperation. Bellamy is adamant that this unifying principle is of no lesser quality than the European counterpart and even allows ASEAN to constructively engage the wider Asian region in spite of pervasive ideological and political differences. Similar to Kivimaki, Bellamy believes the ASEAN way to be quite appealing not only to AMS themselves, but also to outsiders and thus, incrementally decreases the need for realist security practices in the region.[277] In this logic, the presence of and strong focus on process allows institutionalisation and interaction despite heterogeneity; intra- and extramurally. Yet again Asia-constructivist literature attempts to demonstrate the ability and socialising quality of normative forces and ideas in order to overcome *realpolitik*. Not only do community members learn to cooperate based on non-violent interaction and reciprocal consideration and responsibility. Their processes can also socialise extramural actors into the same norms.[278] In a similar vein, Charles Kupchan declares that some minor disagreements notwithstanding, academic consensus existed that ASEAN is indeed a successfully integrated normative community.[279] Albeit questioning ASEAN's motives and being ambivalent about the exact current level of integration, Kupchan names ASEAN as living proof for the possibility of successful illiberal security communities[280]

---

[276] Bellamy (2004): 89f.
[277] Bellamy (2004): 181.
[278] Bellamy (2004): 185.
[279] Kupchan (2010): 231.
[280] Kupchan (2010): 34; 229.

and applies his four-step framework.[281] Kupchan reminds his readers of Suharto's reaching out to Malaysia despite long standing enmity, setting the stage for both nations ratifying the Bangkok Declaration and subsequently embarking on long-term community building.[282] In the light of increasing escalation and third-party pressure against Indonesia in reaction to Konfrontasi, Kupchan highlights the realist nature of Suharto's post-Konfrontasi volte-face. Recalling his first phase of community building, accommodation was in this case the Indo-Malay rapprochement, motivated less by idealistic goals than by strategic requirements. According to his model, this *realpolitik* motive soon heralded societal integration, idealistic convergence and the emergence of new narratives in Southeast Asia. It highlights that what begins with realism can end in constructivism. Community emerged according to Kupchan from a shared need to overcome security threats in the context of anarchy. Following Deutschian logic, a general condition of increasing interdependence facilitated more meaningful interaction among the five founding ASEAN states (o-AMS) and unintentionally, in his words, '*a stable peace broke out*'.[283]

A further staunch Asia-constructivist is Estrella Solidum who focuses on the outcome of identity formation. This local analyst's optimism stands out even among Asia-constructivists. She could not lavish more praise on ASEAN as the top model of regional integration. Solidum regards ASEAN as the centrepiece of regional security and as a successfully integrated community.[284] As early as 2003, she congratulated ASEAN for maintaining the '*highest commitment to goals of peace, freedom, stability, prosperity, rule of law, and security*' and for having been able to remain cohesive and '*able to respond and adapt to the changing conditions at the regional and international levels in coherent ways'*. Solidum aligns with other process oriented Asia-constructivists and also believes that ASEAN has developed a sense of community and a community of caring societies. She acknowledges and subscribes to ASEAN's assertion that its community represents '*a concert of Southeast Asian nations, outward-looking, living in peace, stability, and prosperity, bonded together*

---

[281] See above.
[282] Kupchan (2011): 6ff.
[283] Kupchan (2010); (2011).
[284] Solidum (2003).

in partnership in development, and in a community of caring societies.'[285] Although the emergence and exact realisation of this successful integration is left unclear, Solidum leaves no doubt as to ASEAN's common identity shaped by peaceful norms. Upon those peaceful, commonly accepted norms, as apparently evident in the ASEAN way, ASEAN based institutions and ASEAN initiated treaties and regimes such as the Treaty of Amity and Cooperation (TAC), managed to establish security and stability in the region. [286] Yet again norms and an apparently intersubjective understanding of those are the basis upon which ASEAN developed and flourishes.

ASEAN clearly agrees with this when it endorsed Vision 2020 as part of the HPA, it set out a vision for future integration goals. The journey was determined to take ASEAN to a new level, creating a '*concert of Southeast Asian Nations, outward looking, living in peace, stability and prosperity, bonded together in partnership in dynamic development and in a community of caring societies*.'[287] Bali II reaffirmed that

> *ASEAN is a concert of Southeast Asian nations, bonded together in partnership in dynamic development and in a community of caring societies, committed to upholding cultural diversity and social harmony.*[288]

Careful reading here reveals that ASEAN leaders saw the "concert *of Southeast Asian nations*" as having been completed.

Before the following two parts will move on to the Asia-constructivist readings of the ASEAN way and ASEAN centrality, a refreshingly less enthusiastic and yet constructivism inclined analyses comes from Allan Collins who concludes that ASEAN has not yet integrated to security community depth. He shows how ASEAN's constitutive norms have allowed ASEAN to form a security regime instead. As always in Asia-constructivism literature, the importance of constitutive norms is accentuated. Although Collins himself – like most Asia-constructivists – is likely to deny being a constructivist, he relies on constitutive norms as at least an intervening variable (IntV). However, criticising the general elite bias and the post-Deutschian

---

[285] Solidum (2003): 222.
[286] Solidum (2003): 202.
[287] Hanoi Plan of Action (1997), available: www.asean.org, accessed: 20/09/2015.
[288] Bali Concord II (2003), available: www.asean.org, accessed: 07/07/2016.

notion of illiberal communities in ASEAN scholarship, Collins adds an interesting new dimension to the debate.[289] Indeed he calls for a new interpretation of community. To him, community is at least as much about civil society and positive transnational identification among the people as it is about elite interaction. His quest is in essence a return to Deutschian basics of more comprehensive transnational synergy; an equal engagement of both, state elites and civil society. Accordingly, he argues

> *[i]t is the sense of belonging together at the mass level that ensures the "we-feeling" is held by more than a select group of state elite. [...] It is therefore the extent and depth of the transnational ties that, through a process of social learning, establishes the collective identity that is the glue in a security community. This reveals that vibrant civil societies are necessary to enable the creation of a community-based civic culture.*[290]

ASEAN itself is of course in total symbiosis. It has frequently stressed its own ambition to establish a '*peoples-oriented ASEAN*' in which all sectors of society are encouraged to participate in and benefit from ASEAN integration and community building. According to the association, this takes place within a democratic environment governed by the rule of law.[291] As one of the few constructivism influenced observers, Collins concedes that while ASEAN does indicate an ambition to form a community based on Deutschian basics of liberal values and interaction on all levels, this language is not yet reflected in actual practice. He identifies a pluralistic political development in certain AMS, such as Indonesia, as the driving force behind this language of liberalism. Yet, precisely the lack thereof in most other AMS is preventing the people-community factor from gaining a permanent foothold in Southeast Asian regionalism, thus inhibiting the community building process severely.[292] His analysis suggests a refreshing dose of moderation. Indeed, despite ASEAN's flamboyant language, the quality of intramurally shared understanding of community is doubtful and the Asia-constructivist argument regarding the irrelevancy of domestic ideological compatibility is unconvincing.

---

[289] Collins (2014).
[290] Collins (2014): 283.
[291] ASEAN Charter (2007): Art. 1(13); APSC Blueprint (2009): Section II(7), both available: www.asean.org, accessed 13/03/2016.
[292] Collins (2014): 288.

3.2.2. Asia-Constructivism and the ASEAN Way

Chapter 2 has introduced the practice of the ASEAN way and argued that it is best understood as the realisation of a set of underpinning principles in the day-to-day routine of ASEAN politics; or as constructivist literature would have it, regulative norms in the context of constitutive norms. ASEAN's main principles, such as non-interference (constitutive), are realised via informal, non-legalistic and fairly flexible processes of consultation and consensus building (regulative).[293] ASEAN itself has explicitly stressed the utmost significance of the ASEAN way as the blueprint for its intra- and extramural engagement in all but every of its documents.[294] Viewed in a negative light, the minimalist ASEAN way with its absolute principle of disagreement avoidance practices and "face-saving" principles in multilateral bargaining is of low agency quality and runs the risk of being relevant only if, either coincidently or as the smallest common denominator, all AMS' agree and policies converge. According to realists, those processes make the ASEAN way – and by extension ASEAN as a whole – ineffective, as it de facto provides for unpunished non-compliance by delegitimising sanction mechanisms.[295] Viewed in a positive light, the deliberate avoidance of strictly rules-based and institutionalised procedures facilitates a flexible, cooperation style of interaction based on informal interpersonal contacts. AMS collectively determine the agenda and avoid disagreement by finding the lowest common denominator, reflecting particularly Asian values. Asia-constructivist observers tend to be full of praise rather than criticism, believing the ASEAN way to be the key to both successful ASEAN integration and intra-ASEAN socialisation and to drawing other, more powerful and resourceful Asian nations, such as China, into their regional socialising orbit.[296] The following paragraphs shall discuss Asia-constructivist perspectives on ASEAN's procedures in more detail.

Both critical and supportive views exist among Asia-constructivists as well as ASEAN leaders. Yet, all unanimously credit the ASEAN way as a useful mechanism to avoid

---

[293] Busse (1999): 46ff.
[294] ASEAN Charter (2007): Art. 2.2.
[295] Jones/Smith (2007); Khoo (2004).
[296] Shambaugh (2005, 2005b); Ba (2006); (2010); Kang (2007).

and/or manage conflict in a fragile region. As Haacke put it, '*conceptualisations of the ASEAN way suggest that this normative framework is of significance in mediating disputes, guiding interaction and underpinning a process of identity construction*.'[297] Alex Bellamy has already identified the ASEAN way as the source of the Southeast Asian community and habits of non-violent cooperation among AMS, which provides a secure place for development.[298] Rajshree Jetly is even more positive in her assessment. Far from being an ineffectual way to do business, the informal, non-binding ways of political and economic conduct is highly appropriate in a region where tensions still reside and the simultaneous approach of deferring in particular delicate questions – shelving – while reaching consensus on other, less sensitive ones helps to avoid disagreement and strengthens a still fragile regionalism. Jetly correspondingly insist that instead of decrying the ASEAN way as ineffectual, it ought to be credited for its aptitude in a volatile and most diverse region.[299] Here, she indirectly refers to the frequently reoccurring belief that ASEAN has come a long way from being a rather fragile region, comprised of instable juvenile states whose relationship was characterised by animosity more than by cooperational spirit. One ought to appreciate the status quo, this reasoning suggests, rather than criticising non-achievement of the ideal condition. Consider in this light former Secretary-General Phan Wannamethee's blunt words saying that ASEAN is avoiding conflicts that may get in the way of regional business by putting '*the problem under the carpet and not highlight it. What is a problem today may cease to be so in the future*.'[300] Other ASEAN elites have voiced the same positive attitude. Reacting to Thailand's, in particular Surin Pitsuwan's, proposals to apply some greater level of flexibility to ASEAN's processes (flexible engagement) former Indonesian Foreign Minister Ali Alatas argued similarly to Phan and Jetly. Alatas, who later became an integral part in the process of drawing up the ASEAN Charter, remarkably described the sometimes clandestine processes of the ASEAN way as nothing less than the backbone of the association's very existence

---

[297] Haacke (2003): 4.
[298] Bellamy (2004): 88ff.
[299] Jetly (2003).
[300] As quoted in Kittichaisaree (1988): 69.

> *[i]f the [Thai] proposition is to now talk publicly about internal problems we will be back to when Asean was not formed, when Southeast Asia was full of tension, mutual suspicion, and only because Asean was created, we have had more than 30 years of stability, of common progress*.[301]

In this view, the ASEAN way possesses a strongly stabilising quality. The modus operandi is simultaneously also the modus vivendi. In other words, in this logic, process is again the IntV of the outcome of regional stability.

Acharya argues that the ASEAN way has become not only a key symbol of ASEAN, but a tool to help the group to overcome tensions without falling apart.[302] Again, Acharya relies on the constructivist IV of norms in order to explain relative success of regional integration. Shared norms were influential in shaping a deliberately weak and non-institutionalised ASEAN way. [303] Acharya concedes that this form of regionalism to some extent emulates some well-established international principles as documented for instance in the UN Charter or the 1955 Bandung Conference. While the underpinning principles as such are not distinctive, according to Acharya, the ASEAN way is unique in the way it informally, almost casually operationalises, or realises, those principles in the daily business of Southeast Asian regionalism. He identifies the norms materialised in the ASEAN way as possessing socialising quality, leading to a nascent ASEAN identity. '*Clearly*', he argues, norms had '*a major impact on ASEAN regionalism*' and '*played a central role'* in the development of a nascent identity. The ASEAN way did not result from cultural sources, but quite the opposite, '*norms created culture*.'[304]

In an effort to contribute to norm diffusion literature and to become more precise as to the origin of norms that make up the ASEAN way and notion Acharya developed in 2009 his norm localisation concept. Starting from the recognition that constructivist literature too often focuses on norm-entrepreneurs instead of emphasising the role of norm-takers, Acharya seeks to demonstrate why some norms, such as non-intervention, have been institutionalised within the ASEAN framework whilst others,

---

[301] As quoted in Haacke (1999): 593.
[302] Acharya (1997): 328/9; Acharya (2014): 255.
[303] Acharya (2007): 15.
[304] Acharya (2014): 68/9.

such as collective defence, have been rejected. He argues that key to norm acceptance is the ability of local agents to reconstruct external norms to match their local cognitive priors and pre-existing identities. Foreign norms, he argues, are more likely to be adopted if congruent with the pre-existing normative order in the region of the recipients. Local agents, AMS elites in his example, are active norm-takers not simply accepting or rejecting norms, but localising those by assessing, reconstructing and even extending foreign norms in order to fit local contexts.[305] Localisation therefore is a process of norm assimilation by which foreign norms, previously external to ASEAN, are assessed and, if deemed appropriate, adjusted to fit the indigenous cultural and ideological background. In the same vein, local norms are rejected if they contradict locally held beliefs and identities. Whether or not localisation takes place depends on the extent to which the norm is legitimatised or de-legitimised by existing belief systems or even regarded inadequate in addressing the particular local challenges.[306] In other words, if foreign norms can be adjusted to locally pre-existing belief systems, norms are more likely to be adopted. It is therefore correct when Rueland asserts that Acharya's localisation approach marked a departure from traditional norm diffusion literature focus on norm providers to recipients. Recipients are no longer seen as passive norm takers who transform by adopting the new, seemingly superior external norm. Instead, recipients can be proactive to normative change by reconstructing external norms.[307] Norms do not just appear so much as they are generally accepted, appropriately amended, and subsequently diffused by local agency. Foreign norms therefore often merge with local standards and by doing so produce a hybrid value compass whereby local behavioural standards and traditions are supplemented with foreign normative standards. Here, Acharya's theories of ASEAN's imagined community and norm localisation blend smoothly from a constructivist perspective, emulating the mutual reconstitution of structure and agent. Fittingly, other Asia-constructivists continue

[305] Acharya (2009).
[306] Acharaya (2009): 60ff.
[307] Rueland (2014): 239.

to rely on this cognitive prior and localisation model in their own analyses.[308] In his localisation argument, the diffusion of norms becomes Acharya's main DV, i.e. how do norms become internalised, or in his words, localised?

Including Mely Caballero-Anthony into the reign of Asia-constructivists is a straightforward exercise. Notwithstanding claims she makes in her most prominent work, *Regional Security in Southeast Asia,* to be significantly more open to alternative approaches, specifically highlighting merits and limitations of all major IR theories as applied to Asia, she unambiguously adopts a constructivist perspective on ASEAN and regional security. [309] Once she has emphasised her professed theoretical semi-partiality at the beginning, Caballero-Anthony's subsequent analysis follows exclusively Asia-constructivists reasoning. Her major concern is the way in which regional mechanisms of conflict management in accordance with ASEAN way, with particular attention on the TAC and the ASEAN Regional Forum (ARF), have changed over time in order to maintain effectiveness and relevance. She accounts for that change in unequivocal constructivist terms. With the help of several examples, she arrives at the conclusion that structural change of ASEAN processes has occurred, both amongst AMS themselves and in ASEAN's extra-regional engagement, as a result of a reciprocal transformation of regional actors and ASEAN as an institution. Because of this being the case, Caballero-Anthony argues, the ASEAN way and by extension ASEAN as a whole has endured, managed to remain relevant, and even developed a sense of community.[310]

By way of evidence, she draws on ASEAN's experiences and its role in the resolution of the Cambodian conflict, as the driver behind the ARF, and most interestingly – and controversially – the role of non-state actors in the ASEAN policy process.[311] In particular her assessment of ASEAN's role in the Cambodian conflict is indicative of Asia-constructivist analytical preferences. Although ASEAN did not solve the conflict the author admits, and the norms of the ASEAN way were seriously tested, ASEAN

---

[308] Rueland (2014).
[309] Caballero-Anthony (2005): 43.
[310] Caballero-Anthony (2005): 255ff.
[311] In particular Caballero-Anthony (2005): Chapter 5; see also chapter 2 of this thesis for a brief discussion about the role of track -1.5 and -2 diplomacy in ASEAN policy making.

proved to be a skilful mediator amongst warring parties. Caballero-Anthony evidently follows much earlier analyses of self-professed constructivists such as Nikolas Busse who argued that ASEAN norms formed the basis for the o-AMS to jointly cooperate in order to internationally ostracize Vietnam and by doing so, individual AMS chose ASEAN norms over national interest.[312] Caballero-Anthony also writes that AMS managed to stay true to their major principles and norms and simultaneously balanced regional and national interests.[313] In this process, the o-AMS realised ASEAN needed to change to a certain extent and a regional interest convergence took place, resulting in an '*exercise of identity and community building*'. [314] Generally, Caballero-Anthony accounts for ASEAN's role in the Cambodian conflict not in external terms of conflict resolution, i.e. an effort to intervene and solve the crisis, but rather in terms of inadvertent intra-ASEAN change, even maturity. The o-AMS apparently realised that they had to reconcile their national with a wider ASEAN communal interest but managed to remain largely true to ASEAN constitutive norms manifest in the ASEAN way. Incremental interest convergence and identity formation led to a growing sense of community and accelerated community-building. In a similar vein, the author explains how track-1.5 and -2 forums and actors are now – as opposed to ASEAN's early days – actively involved in ASEAN conflict management, arguing that matters of regional security have extended beyond state centrism and now heavily involve formal and informal networks such as the ASEAN-ISIS. The agenda setting success of external actors have enduringly influenced and altered the very core of ASEAN which is in total agreement with the informality and soft-institutionalism of ASEAN processes. This brings home Caballero-Anthony's primary argument about the reciprocal influence of a set of state and non-state actors and ASEAN as an institution, indeed as an ideational regional concept. Or in traditional constructivist terms the mutual reconstitution of interests and identity. Structure-agency constructivist could certainly not be more pleased about the way Caballero-Anthony interprets precisely

---

[312] Busse (1999): 48ff.

[313] Jones (2009) has argued rather differently and saw ASEAN's involvement in this conflict as a violation of its chief norm of non-interference.

[314] Caballero-Anthony (2005): 108.

those events others have deemed indicative of ASEAN incompetence rather than the opposite. [315] Socialisation of actors led to modified perspectives on ASEAN regionalism in general as a consequence of being forced to deal with matters of regional importance on a multilateral basis. Such matters of regional security have had a lasting transformative impact on ASEAN as an organisation. ASEAN changed in order to facilitate a growing sense of regional identity and community; a quasi-Wendtian reciprocal change of structure and agency.

In terms of theory therefore, Caballero-Anthony is fairly transparent. Constructivism is seen as the most appropriate theoretical lens by which observers can account for both the emergence of ASEAN mechanisms and their change over time. Since constructivists allow for the importance of intersubjective understandings among elites and emphasise socialisation, this theory, Caballero-Anthony asserts, allows for a meaningful study of ASEAN. Congruently, she claims that both the initial birth and subsequent change of conflict management mechanisms in Southeast Asia are '*products of man-made understandings over certain ideas*'.[316] Her IVs and DVs are in perfect harmony with constructivist logic and in particular the structure-agency relationship has been applied in order to resolve her research question regarding change in and conservation of traditional ASEAN practices. As for a practical conclusion, Caballero-Anthony stresses the ostensibly continuing utmost relevance of the ASEAN way as the one unifying principle of Southeast Asian, indeed pan-East Asian regionalism. She believes the distinctive particularities of the ASEAN way ought to be understood not as bureaucratic mechanisms for the conduct of regionalism, but as a more subtle, regionally appropriate exercise of norm- and community-building via socialisation, both internal and external.[317]

It is Allan Collins yet again who adds an interesting caveat. Although generally positive, Collins warns that the ASEAN way in its current form might in fact impede tighter integration and community formation, directly contradicting other observers. Norms do assume an important role in his analyses and Collins argues that precisely

---

[315] Jones (2009).
[316] Caballero-Anthony (2005): 257f.
[317] In particular Caballero-Anthony (2005): Chapter 2.

those constitutive norms that have hitherto enabled ASEAN to establish a security regime, may prevent it from progressing any further. He favourably accounts for the ASEAN way like many others in terms of the region's mostly colonial past, resulting in a greatly sensitive emphasis on sovereignty and statehood. Yet, while the ASEAN way may be appropriate to those feelings and might help to mitigate security dilemmas by enhancing certainty, they obstruct tighter community integration by manifesting the strong national state.[318]

> *What these constitutive norms reveal […] is the form regionalism has taken in Southeast Asia has hindered community building because it is about the state and not an integrative process that community building entails*.[319]

Here, norms have led to a by and large stable status quo, a modus vivendi. ASEAN elites, wary of a lack of sovereignty, had initially come to a common understanding of security interdependence and therefore appropriately designed and complied by ASEAN norms. As soon as a condition of relative stability had been achieved though, ASEAN norms have outlived their cause. Although Collins refers to those norms as being constitutive, the clue to his argument I believe is in their regulative outcome. The security regime Collins believes ASEAN has achieved to create, seems to resemble Kupchan's second step of security community formation of "reciprocal restraint" and is characterised by earlier notions of self-restraint practices as emphasised by Adler. Collins here relies on an eclectic mix of realist and constructivist logic. Although emphasising the role of norms, his claim is essentially based on the logic of consequence. Realisation of security interdependence and common threat perception elicits instrumental behaviour – norm establishment and compliance. If Collins is correct, hitherto established norms now prevent ASEAN from going all the way by obstructing community building beyond this instrumental rationalism.

Several influential ASEAN leaders have conceded as much and highlighted the problem themselves. Rodolfo Severino delivered some input that must have been pleasing to most Asia-constructivist.

---

[318] Collins (2013): 48.
[319] Collins (2013): 160.

> *ASEAN is emerging as a true community or even family. There are differences within the family, even serious ones; but there is also the underlying consciousness that, in some cases, the problem of one is the problem of all, that the group must stick together to better deal with the world outside, and that, as in a family, the troubles of one can legitimately be the concern of the rest.*

However, Severino added a critical caveat. Although mentioned as a side note, he crucially finishes off talking about the ostensible "ASEAN family" by saying that because '*the Southeast Asian community will be more closely integrated, a new equilibrium may have to be sought between national sovereignty and regional purpose*.'[320] This notion resembles die-hard realist perspectives on the ASEAN way, such as Smith and Jones' who have argued that the ASEAN way, and in particular the norm of non-interference constitutes in effect the oxymoron to regional identity.

> *ASEAN's irresoluble paradox is that while it is intended to establish the notion of Southeast Asia, it calls on its members to recognize that there is no such entity. This implacable commitment to noninterference constitutes ASEAN's core weakness. It is simply a non sequitur to build a community among neighboring states on the basis of official indifference to those neighbors*.[321]

The academic Collins and the former leader Severino of course did not intend to go quite that far. Despite criticism of the dichotomy between community building and established ASEAN practices, Collins believes too harsh assessments of non-interference to be based on a fundamental misinterpretation of the ASEAN context. At this point, Collins reveals himself as an Asia-constructivist, allowing us to include him in this category. Had he thus far – at least indirectly – argued on the basis of the logic of consequence and used some realist variables, he leaves that terrain when he argues that the origin of constitutive ASEAN way norms, the principles representing the glue that keeps the organisation together and has established it in the first place, ought to be seen in the light of the primary engagement of weak and often post-colonial nation state building and fortification efforts.[322] Firm Asia-constructivists would readily agree. Acharya for instance highlights that non-interference ought not to be understood as indifference but as a means to assist each other in the struggle

---

[320] Severino (1999).
[321] Jones/Smith (2002): 108.
[322] Collins (2013): 37.

for necessary domestic stability. This brings to the IR interested mind Barry Buzan's dichotomy of strong and weak states. Weak states, such as post-colonial AMS, are characterised by high levels of concern for regime stability and domestic security threats that may weaken the government. [323] They have therefore an intrinsic interest in mutually supporting each other's regime stability.

This is of course indicative of the national and regional resilience dichotomy introduced in chapter 2. According to this view, there is a general agreement among AMS that their respective domestic stability (national resilience) is not only linked to, but constitutive of regional stability (regional resilience). As former Suharto adviser and CSIS co-founder Jusuf Wanandi puts it, if each constituent part remains strong, the chain will also be strong and therefore, regional resilience derives its strength from the ability of nations to overcome internal threats.[324] This notion is repeated in its Vision 2020

> *ASEAN shall have, by the year 2020, established a peaceful and stable Southeast Asia where each nation is at peace with itself and where the causes for conflict have been eliminated, through abiding respect for justice and the rule of law and through the strengthening of national and regional resilience*.[325]

The HPA specifies the purpose to '*consolidate and strengthen ASEAN's solidarity, cohesiveness and harmony by strengthening national and regional resilience through enhanced cooperation and mutual assistance*.'[326]

The realist argument of non-interference being the logical opposite of community is turned on its head. Simultaneously, AMS have recognised that internal stability of one member is crucial to the stability of the region and as such, crucial to the stability of the own state. Collins links this to reciprocity and self-restraint in order to foster cordial regional cooperation. Reciprocity is exercised here in a negative sense. Non-interference means '*deliberately eschewing the opportunities for self-aggrandizement presented by neighbouring states' moments of weakness*.'[327] AMS therefore refrain from obtaining individual gains by exploiting a neighbour's

---

[323] Buzan (1991): 97.
[324] See Wanandi (1984): 305.
[325] ASEAN Vision 2020 (1997); available: www.asean.org, accessed: 14/03/2016.
[326] ASEAN Hanoi Plan of Action (1997).
[327] Collins (2013): 38.

instability in favour of long-term positive-sum dynamics. Indeed, as the TAC Article 11 specifies, ASEAN Member States

> *shall endeavour to strengthen their respective national resilience in their political, economic, socio-cultural as well as security fields in conformity with their respective ideals and aspirations as well as internal subversive activities in order to preserve their respective national identities*.[328]

A region consisting of strong national states, so the logic goes, enhances regional resilience and thus security for the community. Or as Alice Ba nicely writes, nationalism has always been the centrepiece of Southeast Asian regionalism.[329] This is achieved by virtue of compliance with regulative norms defined by constitutive norms realised in the ASEAN way. ASEAN achieves regional resilience by avoiding conflict and remaining united. Even nowadays, as ASEAN is expanding in size and scope, regional resilience in the form of a strong ASEAN remains imperative to Southeast Asian stability.[330] National resilience in this reasoning is both a DV, as outcome of the practice of the ASEAN way and the IntV facilitating to overall regional resilience.

This chapter will now turn to a summary of some selected major Asia-constructivist perspectives on ASEAN's ability to transcend Southeast Asia. The aim is to demonstrate that yet again, ASEAN rhetoric and Asia-constructivists analyses share an optimistic assessment and conclusion, based on constructivist variables and in particular, the constructivist power to spread norms. Again, ASEAN itself has given rise to such debates by emphasising its centrality and extramural agency capacity.

3.2.3. Asia-Constructivism and ASEAN Centrality

> *The central and proactive role of ASEAN as the primary driving force in its relations and cooperation with external partners in a regional architecture that is open, transparent and inclusive as emphasised by the Charter. This reflects ASEAN's commitment to be the hub for the evolving and complementary structures in the region and for engaging the major players of the world for strategic and economic reasons. Such a role would help to balance the geo-*

---

[328] TAC (1997).
[329] See Ba (2009): 65.
[330] Ba (2009): 243/4.

> *politics in the region thereby focusing ASEAN's efforts in building its Community while contributing to peace and prosperity of greater East Asia.*[331]

Undoubtedly, since the end of the Cold War, East Asia has seen immense proliferation of both economic and security related multilateral regimes and institutions; ADMM+, APEC, ARF, ASEAN+3 and many more. For Asia-constructivists, in particular China's interest in joining such regional institutions gives evidence as to the socialising quality of norms via institutions in general and ASEAN-based norms and processes in particular. As we recall, the ASEAN way is seen as a modus vivendi for AMS who would thus be enabled to safeguard stability in a context of mutually reinforcing national and regional resilience. ASEAN has thus used the ASEAN way in order to maintain what Michael Leifer has called '*an institutionalised framework of multilateral constraint*'.[332] As Asia-constructivists would have it, a shared identity arose subsequently or is at the very least currently developing. In either case, the ASEAN way was an internal matter, focussed on intramural institutionalisation. With ASEAN's post-Cold War institutional proliferation beyond the confines of Southeast Asia that focus shifted towards the greater neighbourhood.[333] The new desire to engage extramural major players in the Pacific – in particular China, the U.S., and Japan, but also Australia and South Korea – added a new dimension to ASEAN diplomacy and (geo-)strategic posturing.[334] ASEAN leaders aimed to upgrade their relationships with China while simultaneously ensuring continued U.S. presence in the region. ASEAN needed to tread carefully in order to avoid choosing a particular side, noticeable in initiatives such as ZOPFAN. According to some observers this resulted in the use of an "enmeshment strategy" whereby ASEAN's neutrality and centrality would be maintained and even institutionalised.[335] This concept of ASEAN centrality assumes ASEAN as the centre of Asian institutionalised multilateralism in

---

[331] Speech by Pushpanathan, S., Deputy Secretary-General of ASEAN (2009): Building Regional Resilience. ASEAN Charter, ASEAN Community Blueprints and ASEAN Community, Jakarta, 20 May, available: www.asean.org, accessed 22/03/2015.
[332] Leifer (2005): 153.
[333] Ho (2012): 6.
[334] Katzenstein (2000) on the early emergence of Asian regionalism in general.
[335] Goh (2012).

the wider Asia-Pacific region where it does not wish to be marginalised by other, greater powers. ASEAN ostensibly acquired and must remain in the "driver's seat" of most Asian institutions in order to remain relevant against the odds of unequal power in the Asia-Pacific.[336] According to ASEAN itself, centrality is the association's role at the centre of an ASEAN-led regional architecture based on its unity and cohesiveness.[337] ASEAN assumes the position of host, procedural prototype, and agenda setter in order to lead regional affairs on the basis of the ASEAN way and the principles of the TAC. Some Asia-constructivists have argued that a particular level of trust has enabled ASEAN to persuade regional powers (including the U.S.) to accept ASEAN's normative foundation.[338] The factual importance of a number of indeed ASEAN-based regional institutions is seen as indicative of ASEAN's substantial agency beyond Southeast Asia.[339] Mely Caballero-Anthony explains that '*ASEAN's centrality has to be understood in terms of its significance in amplifying the capability of ASEAN to influence and shape the regional environment and the regional order*.' [340] Accordingly, Caballero-Anthony argues, ASEAN has been able to play a central role through its adroit creation of institutional networks and having positioned itself as the centre of regionalism allowing ASEAN leaders to initiate agendas and strategies. Thus, she claims, '*ASEAN's centrality is a result of its skilful diplomacy nurtured through the years.*'[341] Alice Ba also bemoans the lack of both political and academic attention paid to ASEAN's role as the region's first-rate facilitator of peaceful cooperation. ASEAN's contribution were often obscured and consequentially underestimated. Ba believes that the ability to draw actors into institutionalised settings is critical, as this initial willingness to cooperate is at the very least a necessary first step before anything more substantive could develop. In her view, ASEAN has made some '*significant security contributions*' by providing an institutional environment that can moderate and channel regional competition and

---

[336] Chapter 1 for a more detailed account of the concept of centrality and how it relates to security in East Asia.
[337] ASEAN Charter (2007); APSC Blueprint (2015): C.10
[338] Caballero-Anthony (2014): 569.
[339] Thuzar (2015).
[340] Caballero-Anthony (2014): 581.
[341] Caballero-Anthony (2014): 572.

tensions as well as facilitating policy specific coordination.[342] ASEAN's value added therefore tends to be more indirect and as such, easy to miss.[343] A bold claim seeing ASEAN's weakness as a matter of perception, not of realistic inability to play a relevant role in Asia.

This is no small matter, for this notion implies that by engaging the wider Asia-Pacific under ASEAN leadership and on its own terms, or rather processes, an association of comparatively weak nation states (measured in terms of material capabilities) plays an over-proportionally powerful role in the wider East Asian regional architecture. If this is true, ASEAN centrality defies principle realist notions in International Relations. By virtue of an alleged appeal of ASEAN's specific ideological and procedural system of regional interaction, the ASEAN way, as well as ASEAN being considered the only viable neutral or at least the least biased player in Asia, ASEAN would assume a position which is, according to realists, untenable. Naturally, realists could not possibly agree to the basis of centrality. In a context of limited capabilities vis-à-vis greater regional powers, AMS are both vulnerable and dependent on security guarantors. A congregation of weak states is unable to engage more materially powerful nations on its terms. Buoyed by greater material might, more powerful states will eventually be able to manipulate the ASEAN way for their own strategic advantage.[344] Great power participation in ASEAN-led regional institutions is, if it takes place at all, merely a strategic tool in order to advance own strategic ends, such as China's dual interest of increasing its influence in the region while limiting the risk of a backlash in form of balancing coalitions until strong enough to behave otherwise.[345] In the Chinese case, this utilitarian logic suggests that less powerful and less wealthy AMS have a less to offer China than vice versa and China would be more inclined to act exclusively in accordance with its own self-interest and advance its own goals; by coercion if necessary. How could a coalition of weak nation states socialise a powerful regional player? And yet, ASEAN centrality

---

[342] Ba (2010): 127.
[343] Ba (2010): 128.
[344] Leifer (1996); Simon (2007) for a realist vision of the ARF; also Jones/Smith (2007).
[345] Emmers (2001); This corresponds with realist balancing logic as suggested in Walt (1987); Gilpin (1981); Kugler/Organski (1989).

suggests that precisely this socialisation and this asymmetrical power is a key characteristic of East Asian IR. Due to its ostensible capabilities as the regional norm-entrepreneur and its collective bargaining potential, ASEAN itself as well as many Asia-constructivists regard ASEAN as the diplomatic hub of East Asia.

As the introductory quote by former ASEAN Deputy Secretary General Pushpanathan demonstrates, ASEAN leaders see themselves well placed to be precisely this. In fact, ASEAN has even set this as one of its primary targets. Article 1 of the ASEAN Charter specifically states that it is one of ASEAN's 15 listed purposes

> *to maintain the centrality and proactive role of ASEAN as the primary driving force in its relations and cooperation with its external partners in a regional architecture that is open, transparent and inclusive*.[346]

If this sentence is read carefully, it remarkably implies that ASEAN asks its members to fortify their right to bilateralism in favour of ASEAN led efforts. An astonishing request, in particular considering that all AMS have ratified it in the context of strong nationalist inclination as alluded to in chapter 2. There is an evident attempt to conduct extramural foreign policy on a strict ASEAN only basis, superseding bilateralism. The Charter then proceeds to prescribe the need to maintain '*the centrality of ASEAN in external political, economic, social and cultural relations*' and stipulates ensuring ASEAN's centrality as one of the main duties and responsibilities of the ASEAN chairman.[347] As early as Bali II has ASEAN aspired to replace bilateral cooperation between AMS and extra-ASEAN powers in favour of a multilateral approach, led by the association and in accordance with its own procedures. Its preamble emphasises that the ARF

> *shall remain the primary forum in enhancing political and security cooperation in the Asia Pacific region, as well as the pivot in building peace and stability in the region. ASEAN shall enhance its role in further advancing the stages of cooperation within the ARF to ensure the security of the Asia Pacific region*.[348]

Such references ought to be seen within the wider context of post-Cold War stabilising efforts. A time when renewed enthusiasm for multilateral institutions and

---

[346] ASEAN Charter (2007): Art. 1(15).
[347] ASEAN Charter (2007): Art. 32(b).
[348] Bali Concord II (2003): Preamble.

their proliferation was a trend not only in Asia. At the same time, not only staunch institutionalists see multilateral institutions as a useful instrument for weak states to constrain potentially hegemonic ambitions of more powerful competitors and provide them with access to political processes in which they can press their interests collectively. Accordingly, ASEAN attempts to maintain its centrality in regional community building to exercise political influence over regional powers.[349] This notion reminds of Leifer who saw ASEAN in general and the ARF in particular as a way to maintain a balance of power by institutionally engaging as many powerful, potential dominant states as possible. Not in order to alter their preferences, but to keep a point of diplomatic contact.[350]

ASEAN itself certainly believes it can now progress and its processes can transcend Southeast Asia through a united common stance on international issues.

> *We see an outward-looking ASEAN playing a pivotal role in the international fora, and advancing ASEAN's common interests. We envision ASEAN having an intensified relationship with its Dialogue Partners and other regional organisations based on equal partnership and mutual respect*.[351]

Chapter 8 of the Hanoi Plan of Action states that ASEAN should '*undertake, actively and energetically, measures to strengthen ASEAN's role as the primary driving force in the ARF*'. This was best achieved if the association could '*formulate initiatives to advance, on a consensus basis and at a pace comfortable to all, the ARF process from its current emphasis on confidence-building to promoting preventive diplomacy*' and by developing '*a set of basic principles based on TAC as an instrument for promoting cooperative peace in the Asia-Pacific region*.'[352]

Traditional Constructivism Recap

A large measure of the logic of centrality and ASEAN-led multilateral institutions extending into East Asia relies on the conviction that institutional membership would create expectations and obligations on the part of extramural great powers and socialise those "outsiders" into embracing constitutive and regulative norms of the

---

[349] Tan/Emmers (2010): 193ff.
[350] Leifer (1996); (2005c).
[351] ASEAN Hanoi Plan of Action (1997).
[352] ASEAN Hanoi Plan of Action (1997).

collective.[353] At this point, it is worth recalling traditional constructivist notions of power, of the mutual reconstitution of structure and agency, and subsequently the norm diffusion literature. Earlier in this chapter, the constructivist notion of power was defined as the ability of the agent to shape the structure, which in turn re-defines the interests of interacting agents. Recalling Arendt's notion of power as the possession of influence by a legitimate group of actors and Ted Hopf's power of practice, providing '*the capacity to reproduce the intersubjective meanings that constitute social structures and actors alike*,'[354] the constructivist view on power is not coercion, but the ability to create intersubjectivity, establish and construct meanings and intersubjective knowledge, which may well be possessed by a group of states of low material capabilities, as long as they act, as Arendt has suggested, in concert. This construction ability is facilitated by institutions. Finnemore and Sikkink have raised the possibility of a norm cascade whereby norm leaders persuade others to become norm followers. Building on the Wendtian notion that structure and agency constantly and mutually reinvent themselves and both interests and identity arise and alter as a result, norm diffusion literature has provided for the possibility of socialisation within the international system. According to Finnemore and Sikkink, norm-entrepreneurs require and organisational platform such as international organisations on which they depend for expertise and resources. From this platform, norms can become institutionalised within multilateral organisations which subsequently facilitates a norm cascade.[355] Socialisation via norm diffusion relates to the process by which outsider states accept standards of appropriate behaviour of the collective. Individual states joining the collective within institutions adjust interests and subsequently their identity and become more akin to the group. Hence, via socialisation processes by a group of legitimate states individual outsiders adopt the group's standards of behaviour and alter interests, policy behaviour, and identity. Alexander Wendt has exemplified this with his revisionist state versus status quo state comparison. As long as the collective acts in Hannah Arendt's terms

---

[353] For such arguments Smith (2004); Goh (2014); Ba (2007); Bellamy (2004).
[354] Op. cit.
[355] Finnemore/Sikkink (1998): 900f.

in concert, material capabilities are secondary. Norm cascade and norm internalisation are independent from material coercion. Accordingly, with its emphasis on ideational forces and social learning, traditional constructivism appears to be a well chosen starting point for optimistic analyses.

By now readers will not be surprised to learn that it did not take long for Asia-constructivist academics to pick up on this. Acharya underlined in 2001 that

> *ASEAN's diplomatic centrality was evident not just in the name ASEAN' (as opposed to Asian') Regional Forum, it was also reflected in the fact that ARF annual sessions were to be held in ASEAN countries.*[356]

English School influenced scholar Evelyn Goh agrees. Multilateral institutions can address and constrain unequal power as well as changing the hierarchy of how regional power is distributed.[357] In order to understand how Asia-constructivists believe this to be achieved, it is worth recalling the neo-security community literature that emphasised practice as opposed to liberal value content with regards to Southeast Asia. It has been demonstrated above that scholars such as Adler, Bellamy, and Kupchan have identified a practice of self-restraint as pivotal to community building in general and ASEAN in particular. Adler and Greve have additionally identified a set of further practices of security communities, including the tendency to spread intramural norms and values through processes of socialisation of external actors.[358] Other than confirming traditional constructivist notions about norm diffusion, this tendency suggests a general expansionist predisposition of communities by including others into the own existing framework of norms, values, and processes through socialisation. At face value, this makes perfect sense in security terms, of course. If, as constructivist logic in general and Asia-constructivist in particular suggests, security and stability derives from intrinsic norm compliance, then, in a situation of strategic uncertainty, including as many potential foes as possible is a perfectly legitimate way to create the greatest possible level of security and stability for all. As we recall, Asia-constructivist notions as well as ASEAN's own self-perception hold that the intramural cohesion achieved by virtue

---

[356] Acharya (2001): 174.
[357] Goh (2014): 29.
[358] Adler/Greve (2009): 72.

of compliance with the ASEAN way of cooperation has led to a (nascent) community and non-violence habits. If Adler and Greve's provisions for expansion is correct in assuming that intramural norms and practices can indeed inform extramural multilateralism to the advantage of the collective, ASEAN would be a compelling case for constructivist studies. It could then be demonstrated that an association of weak states could, contrary to realist notions, attain and institutionalise a position of strength vis-à-vis greater regional powers disproportionate to its own actual material capabilities. ASEAN is in this view in a position to alter preferences of extramural powers through socialisation processes leading to the latters' compliance by ASEAN inspired and drawn up norms and procedures and thus, ultimately play by ASEAN rules. Forums based on ASEAN's procedural architecture such as the ARF or the ASEAN+ extensions therefore allow, institutionalise, and ultimately establish a structural domination of great powers by smaller ones. Present day ASEAN and Asia-constructivists continue to voice the explicit ambition and ability to be the force behind regional engagement. Both believe in the association's ability to conduct external relations as a united community, capable of engaging the wider region, including significantly more powerful actors by virtue of combined strength and well rehearsed procedures. In 2015, Amitav Acharya repeated his ASEAN perspective in this regard, noting that

> *ASEAN is an anomaly in the universe of great power politics. Not only has it survived, but it has contributed significantly to conflict reduction and management in Southeast Asia and served as the main anchor of regional cooperation now involving all the major powers of Asia and indeed the world. As a result, Asia is the only region in known history where the strong live in the world of the weak, and the weak lead the strong*.[359]

Although Alex Bellamy has devoted some considerable attention to particular case studies, ASEAN being one of them, Bellamy's main purpose is the question to what extent and to what end security communities in general engage with "outsiders".[360] He claims that the literature has hitherto overlooked '*the relationship between those*

---

[359] Acharya (2015).
[360] Bellamy (2004): 10f.

on the inside and those on the outside of the security community.' His principle question then is whether

> *the development of norms by a community of states, the articulation of shared interests, and production of common identities project themselves beyond the borders of the community or do they provoke a withdrawal from engagement with outsiders?*[361]

Like other Asia-constructivists, Bellamy had rejected realist interpretations of structure as being anarchic and essentially bellicose. Instead, he proposes a socially constructed international society. Hypothesising that all interactive systems are socially constructed, the question follows whether a proliferation of security communities and the extension of existing communities in general would facilitate '*integrative transnational relations between insiders and outsiders or create regional fortresses preparing for the kind of civilisational conflict envisaged by Samuel Huntington?*'[362] It has been shown above that Bellamy is resolute in his conclusion that ASEAN has, via the norms realised in the ASEAN way, developed a habit of non-violent cooperation to an extent that a security community has been formed. This successful cooperation based on the ASEAN way of regionalism has, according to Bellamy, successively attracted outsiders such as pre-1995 Vietnam and nowadays countries such as China. In the Chinese case, ASEAN managed to successfully create security community offshoot institutions such as the ARF and ASEAN+3 in order to engage this outsider. Bellamy believes that the ASEAN way has therefore facilitated not only an increasingly sturdy Southeast Asian community, characterised by intramural habits of non-violence, but has also managed to decrease the likelihood of '*realist security practices and discourses on its borders*' since outsiders would eagerly subscribe to ASEAN's principles.[363]

Here, two principle constructivist elements come back to mind; the rejection of realism's independent variable (IV) of anarchy/state of nature; and secondly, constructivist power through socialisation. Power in terms of the ability to initiate auspicious change to the structure, which, true to constructivist logic, in turn

---

[361] Bellamy (2004): 10.
[362] Bellamy (2004): 10.
[363] Bellamy (2004): 181.

changes the agents interacting within it. Arendt saw power as the result of a legitimate and cohesive social group influencing the environment. In Bellamy's case and his emphasis on processes, it is also worth remembering what Ted Hopf has called the power of practice that provides '*the capacity to reproduce the intersubjective meanings that constitute social structures and actors alike*.' [364] Relating to ASEAN's ability to spread its norms into the wider Asian region, as Bellamy believes it does, socialisation via norm diffusion takes place. Non-ASEAN Asia accepts standards of appropriate behaviour of the ASEAN collective. New members adopt the group's standards of behaviour and alter their interests, policy behaviour, and ultimately identity accordingly. Finnemore and Sikkink's norm cascade occurs and includes former outsiders. Again, as material might does not matter as much to constructivists as it does to realists, the insiders may well be a collective of smaller states, socialising a larger, in material terms more powerful one, as long as they act in concert. Norm internalisation on the other end can take place regardless of material capabilities of the group. Appropriateness is what matters.

Similarly, Asia-constructivist Alice Ba notes that ASEAN has benefitted a great deal from those East Asian forums of institutionalised multilateralism, providing '*a coalition of lesser powers [ASEAN], a geostrategic centrality that it might not otherwise have had*.'[365] Authors such as Cruz de Castro and Eaton and Stubbs also believe this to be the case.[366] Eaton and Stubbs call ASEAN's supposed asymmetric capability ASEAN's "competence power". [367] Specifically referring to Wendt and sociological power perspectives, it appears that Eaton and Stubbs' competence power translates into precisely the constructivist view on non-coercive power as the ability to create intersubjectivity, establish and construct meanings and intersubjective knowledge. In other words, the power to shape structure in a way favourable to the wielding agent, facilitated by concerted action within institutions. From these constructivist foundations, Eaton and Stubbs hypothesise that ASEAN indeed possesses significant competence power. They conclude that '*ASEAN has*

---

[364] Op. cit.
[365] Ba (2010): 116.
[366] Cruz de Castro (2000); Eaton/Stubbs (2006).
[367] Eaton/Stubbs (2006): 147.

been able to reduce regional tensions and increase regional economic cooperation to its advantage by having regional states sign on to its norms and follow its practices.'[368] Or as Evelyn Goh puts it, weak AMS have gained the advantage by enmeshing greater powers to ensure ASEAN autonomy.[369] Alice Ba concurs and believes ASEAN's extramural socialisation potential to be one of the association's greatest capabilities. In 2009, she speaks of ASEAN in most flamboyant terms, arguing that ASEAN has assumed a pivotal role in initialising, pushing, and energising the development of institutionalised East Asian regionalism. Ba states that the association has over recent years not only retained its relevance in the region but also advanced it.[370] Moe Thuzar also states that the U.S., China, and Japan are

> *among those with the most active interest in wider spaces within these [ASEAN-led] forums. The competing interests of China with those of the US and Japan in the different ASEAN-led forums have led to an entrenching of unique approaches towards regional institutions where ASEAN takes a central role*.[371]

Although being less convinced that institutions such as the ARF strictly follow the ASEAN way, Evelyn Goh describes ASEAN's ambition and its power as the ability to dominate the bargaining process over regional politics. Arguing that although ASEAN had to make relatively radical departures from their original norms against military or security consultations seen as violating the principles of non-interference and regional autonomy, the association did gain control over what she calls the "institutional bargain". [372] Indeed, in several regional institutions ASEAN insisted on being granted leadership and was able to dominate the bargaining process over what those institutions are and what they are for. In other words, ASEAN increased its regional influence by owning the multilateral bargaining process. According to Goh, ASEAN's proactive "plus impulse" was the association's attempt not to be marginalised and maintain its initiative in regional relations characterised by hierarchical power structures of great and medium powers. Over time, ASEAN

---

[368] Eaton/Stubbs (2006): 151.
[369] Goh (2014): 53.
[370] Ba (2009).
[371] Thuzar (2015).
[372] Goh (2014): 28ff.

gained initiative and was enabled to use its own political priorities and processes to shape the nature of institutions. For Goh, the ARF for example has become an "omni-enmeshing forum" promoting constraints of all regional competitors on the basis of norms in the interest of regional stability.[373] It specifically emphasised inclusivity of all regional powers and informality, which implied equality and prevented "agenda-hogging" by Western states as well as promoting AMS' counter-*realpolitik* agenda precluding domination by any one great power.[374] Goh believes that in particular the ARF is designed to bind and constrain all powers engaged in the region, for those to develop a practice of self-restraint.

This must be music to ASEAN ears and ASEAN policy makers would most certainly agree. After all, the HPA had already specifically stated that ASEAN ought to

> *undertake, actively and energetically, measures to strengthen ASEAN's role as the primary driving force in the ARF, including directing the ASEAN Secretary-General to provide the necessary support and services to the ASC Chairman in coordinating ARF activities*.[375]

If power is viewed in this way, as the ability to generate constitutive and regulative norms that subsequently transcend the norm creator and include others through institutional enmeshment, then ASEAN has the potential to be a truly powerful actor in East Asian relations. That is, if the norm takers would indeed comply which is at least open for debate. Nonetheless, the notion of ASEAN agency in pan-Asian institutions is so entrenched that even some realists seem to accept it. Donald Emmerson noted in 2011 that ASEAN leaders think of China and the U.S. as each having a particular role in the region. Emmerson alleges a '*tendency in Southeast Asia to think of Beijing and Washington as playing specialized roles: China the economic partner who facilitates prosperity, America the security provider who guards the peace*.' Despite adding several caveats, Emmerson nonetheless sees a dichotomy which captures the comparative advantage for ASEAN that both offer.

---

[373] Goh (2014): 42ff.
[374] Goh (2014): 52.
[375] Hanoi Plan of Action (1997).

'*China's booming economy, America's matchless military*.' [376] Those comments are striking in their presumption. Consider that, if such a division of labour between Washington and Beijing was indeed accurate, ASEAN could hedge against the risk of increasing PLA presence – some might say domination – in the region by engaging the U.S. and at the same time capitalise on the growing Chinese economy. Although Emmerson highlights that not ASEAN, but individual AMS are engaging the great powers to this end, in its final conclusion, this argument still suggests that lesser powers – whether individually or as a collective – can be active shaper of regional affairs, capable of playing the two most powerful actors in Asia, perhaps the world, to its own ends. Regardless of whether Emmerson believes AMS capable of wielding such power, presupposing such a significant degree of agency on the part of ASEAN and its members must resonate well with Asia-constructivists, in particular originating in the realist camp.

Similarly to Goh and less ambitious than Ba, Catherine Jones somewhat qualified ASEAN's agency. She believes ASEAN's role to be one of a mediator between the great powers. ASEAN's regional influence materialises in its ability to "use" its external dialogue partners, the great and middle powers, to ensure relative stability and security. In this process, ASEAN has succeeded in maintaining relative security, but has also been put in a position whereby, in order to make the most out of those partnerships, it had to establish internal cohesion. The ability to '*use external powers and external organisations to deal with security problems within the region can be seen to benefit ASEAN's community identity rather than being detrimental*.'[377] She further explains that dealing effectively with the security contribution of external actors has forced AMS to move closer together. Maintaining ASEAN's security function as the leader led to the development of security forums in which ASEAN assumes the driving seat. This forces ASEAN to act as a group to lead and direct regional security. Although there may be a deep ASEAN fear that external powers may divide the region, AMS, Jones claims, have not forged ahead with developing deeper and deeper bilateral agreements but have tried and fostered institutional

[376] Emmerson (2011).
[377] Jones (2015): 269.

forum(s) that ensure ASEAN relevance and continuing integration.[378] Busse argued similarly, claiming that ASEAN states did not see alliances, but collective organisation based on shared norms as definitive of regional security beyond narrowly defined material interest.[379]

Amitav Acharya's kind disposition towards the ASEAN way has already been introduced. As early as 1997 he had also considered how the ASEAN way could spread into the wider region and be auspicious to both peace in Asia-Pacific and ASEAN's extramural influence. He emphasised the procedural flexibility the ASEAN way entails and identified it as the facilitating mechanism of enduringly constructive Asian regionalism.[380] According to Acharya, avoiding legalistic, bureaucratic, and primarily outcome-oriented procedures in favour of consensus oriented consultations has appealed to the region, corresponding with general Asian preferences. It is worth pointing towards Acharya's basic IV of the "imagined community" as introduced above. Taking the liberty of extending his logic from ASEAN's cognitive prior, one can safely assume that when Acharya refers to the ASEAN way resounding with general Asian preferences, he also imagines a general Asian cognitive prior. Adding to this promising environment were pre-1997 successes of ASEAN-led multilateralism. He writes

> *[s]uch was ASEAN's credibility in the wake of the settlement of the Cambodia conflict that the countries of the Asia Pacific region accepted its nominal leadership and institutional model as the basis for creating a regional multilateral security dialogue, the ASEAN Regional Forum (ARF). ASEAN itself aspired to a role in regulating the behaviour of major powers and in creating a stable post-Cold War regional order in the Asia Pacific*.[381]

As a result, '*regional actors have grown comfortable with the idea of multilateralism*.'[382] In Acharya's view, the agency role of ASEAN as a collation of weak states has too often been overlooked. The regional appeal of the ASEAN way has turned ASEAN into the hub of wider Asia-Pacific regionalism.[383] By and large,

---

[378] Jones (2015): 276.
[379] Busse (1999): 55.
[380] Acharya (1997).
[381] Acharya (2014): 5.
[382] Acharya (1997): 324.
[383] Acharya (2009): 95.

'Asian regional institutions, whether in the economic or security sphere, continue to remain closely tied to the soft and non-legalistic ASEAN way'.[384] Acharya again reiterates his norm localisation argument in an attempt to explain the origin of institutions facilitating this apparent extramural engagement. Exemplifying this, Acharya argues that the ARF is a manifestation of the post-Cold War localisation of the international norm of common security.[385] The creation of the ARF and the inclusion of the regional great powers, Acharya argues, universalised the ASEAN process and is evidence for his argument of norm diffusion at the same time.[386] On the one hand, the ARF was the institutionalised outcome of the localisation of the international norm of collective security or security cooperation. This norm was localised by ASEAN elites who accepted a need for security cooperation and simultaneously reconstructed it on the basis of pre-existing ASEAN principles in order to adjust the norm as to make it wholly compatible with the ASEAN way. On the other hand, the integration of regional powers within an institution based on the ASEAN way shows ASEAN's normative power. The ASEAN Regional Forum (ARF), as the institutionalised result of a foreign norm localisation, subsequently expanded ASEAN's security agenda, Acharya claims, by including extramural powers. ASEAN was to occupy the driver's seat and thus universalised the ASEAN way.[387]

Like other Asia-constructivist accounts, Mely Caballero-Anthony is particularly concerned with rejecting realist interpretations of the ARF – Leifer (1996) and Emmers (2003). In the wake of potential instability resulting from the end of the Cold War, she argues that it was ASEAN that managed to achieve what seemed to be impossible, namely to bring the major powers together into one single security forum.[388] Without specifically referring to Acharya's localisation in this context, Caballero-Anthony argues that foreign norms were indeed adopted, but also modified to fit regional circumstances and reservations.[389] She asks why greater

---

[384] Acharya (2009): 152.
[385] Acharya (2009): 112ff.
[386] Acharya (2009): 121f.
[387] Acharya (2009): 117ff.
[388] Caballero-Anthony (2005): 124.
[389] Caballero-Anthony (2005): 127ff; a similar argument is also made in Acharya (2014): 167f.

powers in the region allowed for an ASEAN prerogative to be the driving force within the ARF – as it ostensibly is. In answer to her own question, Caballero-Anthony suggests that ASEAN was seen as a safe neutral middleman in between the great powers. Had the ARF initiative originated elsewhere, it would have been impossible to bring all major powers into the same regional security forum. [390] Although being critical of the ARF's achievements to date, she believes that the fact that an organisation of small powers played such an influential role in '*steering a multilateral security forum*' proves realists wrong.[391] In defence of the ARF shortcomings, she further argues that the forum must be seen as sui generis forum, lacking a precedent and is thus still '*work in progress'*. Dismissing it prematurely would be unwise.[392] Moreover, critics, such as Leifer and Emmers, would simply overstate the ARF's intentions and thus, apply false thresholds. Apparently, the ARF never intended to be the most significant anchor of regional security, but was designed to be a '*norm-building mechanism'* and '*part of the process oriented mechanisms adopted by ASEAN in building a peaceful community of states in the Southeast Asian region'*. She believes this to be '*very modest objectives*'. [393] ASEAN's greatest achievement therefore was to assemble all major powers in one setting. Undoubtedly true, but the question remains how much of this was due to ASEAN agency and how much to the initiative of greater powers, seeing ASEAN as a useful, non-influential vehicle to conduct their very own regional business amongst themselves.

Hiro Katsumata is yet another one in the line of scholars subscribing to the notion that extramural engagement ought to be seen less in material and more in normative terms; as a "norm-brewery". [394] He is in agreement with Caballero-Anthony and Acharya that ASEAN's norms were adopted, modified, and spread. Katsumata is adamant that what ASEAN attempts is a pan-regional diplomatic exercise that relies on dialogue and confidence building measures in order to find solutions for security problems that transcend ASEAN itself and to dismiss

---

[390] Caballero-Anthony (2005): 132f.
[391] Caballero-Anthony (2005): 133.
[392] Caballero-Anthony (2005): 146ff.
[393] Caballero-Anthony (2005): 144ff.
[394] Katsumata (2006).

uncertainties and misunderstandings arising from a lack of communication.[395] In particular within the ASEAN Regional Forum, ASEAN is conducting a "norm-building exercise".[396] Katsumata challenges rationalist perspectives of the ARF and argues that the intention of the ARF has always been the management of the association's external relations with the goal to establish a peaceful and stable regional security environment by projecting its very own security norms, i.e. cooperation mirroring the ASEAN way through dialogue and mutual understanding into the wider Asian orbit. He develops a typical Asia-constructivist explanation, emphasising the importance of ASEAN initiated security cooperation norms, both in constitutive and regulative terms. Similar to Acharya's concept of localisation, Katsumata argues that regional security cooperation norms originate essentially from the Conference on Security and Co-operation in Europe model of cooperative security, conducted in the local ASEAN way of consultation and consensus. In other words, Southeast Asian actors drew upon foreign norms but adjusted them to fit regional appropriateness – specifically defined as '*standard of appropriateness defined by the ASEAN Way*'.[397] He attempts to offer an explanation as to why security cooperation emerged in the first place. Elite discussion on regional security in mostly ASEAN based track-2 forums led to a nascent ideology of cooperative security in Asia. Thus developed ideas included the realisation that regional security was indivisible and security can be achieved only through cooperative undertakings. The notion of security therefore began to be increasingly seen as regional rather than national. CBMs ought to become the main security focus of regional security actors. Moreover, since the ideational brewery in track-2 forums had allegedly been so successful that participants concluded discussions ought to be elevated to the track-1 levels. As this materialised in the early 1990s, the ARF became very much an ideas based institutional reality.[398] In this view, the norm of security cooperation was constructed via ASEAN based track-2 localisation (in Acharya's terms) of external ideas. It was therefore ASEAN's agenda, drawn up in track-1.5 and -2 channels (ASEAN-ISIS) upon

---

[395] Katsumata (2009): 77; Katsumata (2006).
[396] Katsumata (2009): 77.
[397] Katsumata (2006): 193.
[398] Katsumata (2006): 189f.

which the ARF was established and ASEAN led the conceptualisation of extramural security cooperation. ASEAN actors initiated a regional security agenda meeting standards of appropriateness of ASEAN as defined in its constitutive norms. Hence, where realist observers look at the ARF in terms of the balance of power efforts, the Asia-constructivist Katsumata begins by alleging a cooperation on security which brought to the fore a realisation of security interdependence, subsequently facilitating the establishment of commonly shared security norms.[399]

Katsumata is not alone of course. Plenty of other observers, and as per usual the stakeholders themselves, have agreed and argued in similar fashion. ASEAN and its plus extensions are not primarily a forum for ASEAN interest based foreign policy, but rather a benevolent meeting environment to get all regional actors to talk by way of ASEAN's informal procedures. The primary function of ASEAN's extension beyond intramural cooperation is thus regarded as pan-East Asian relationship facilitator.[400] Just like Katsumata, Rodolfo Severino argued the ARF adopted some core principles of the ASEAN way by working on consensual basis only, not establishing a formal secretariat and at a '*pace comfortable to all participants*.'[401] Former ASEAN Secretary-General Severino explains that the idea behind projecting the general principles of the ASEAN way into extramural regional institutions was that all participants would be reassured that '*nobody would railroad or ram through measures that others might deem to be threatening to them.*'[402]

As a result, power asymmetries in the region do not lead to bandwagoning or balancing trends, but to ASEAN initiated institutionalisation of norms which substantially contributes to the '*stabilization of expectations, even some common understandings, about their respective roles, as well as a new appreciation for their relations*.'[403] Alex Bellamy concurs. In line with his emphasis on practice, Bellamy argues that the ASEAN way and thus, processes rather than normative and ideological harmony – often seen as key to EU integration – facilitate non-violent

---

[399] In particular Katsumata (2006).
[400] Goh/Acharya (2002).
[401] Severino (2009): 16.
[402] Severino (2009): 17.
[403] Ba (2006): 160.

regional cooperation both intramurally and in ASEAN-led engagement with its neighbours.[404] The Chairman's Statement of the first ever ARF meeting in Bangkok prominently declares that all members have agreed to

> *endorse the purposes and principles of ASEAN's Treaty of Amity and Cooperation in Southeast Asia, as a code of conduct governing relations between states and a unique diplomatic instrument for regional confidence-building, preventive diplomacy, and political and security cooperation*.[405]

Ostensibly, this is accepted by ASEAN's neighbours who are above all interested in cooperation and stability, irrespective of on whose terms this cooperation materialises. In those views, ASEAN is indeed a successful norm-entrepreneur, capable not only of regulating intra- but also extramural relations. ASEAN itself certainly delivered the input for this. As early as 1995 for instance, the ARF Concept Paper, drawn up and circulated by AMS, [406] proposing the ARF's institutional parameters, tasks, and challenges, suggests that '*ASEAN has a pivotal role to play in the ARF*' and that

> *[t]he rules of procedure of ARF meetings shall be based on prevailing, ASEAN norms and practices. Decisions should be made by consensus after careful and extensive consultations. No voting will take place. In accordance with prevailing ASEAN practices, the Chairman of the ASEAN Standing Committee shall provide the secretarial support and coordinate ARF activities.*[407]

A final very noteworthy point is made by Alice Ba. She connects this extra-ASEAN dimension of centrality to the intramural community building. Ba argues that ASEAN's ever increasing interest in multilateral engagement of the wider Asia-Pacific region and its allegedly significant contributions in the form of the various ASEAN+ arrangements facilitated the internal AC15 project (note: not vice versa). As a direct result of increasing extramural commitments, ASEAN saw itself in need of greater

---

[404] Bellamy (2004): 184f.

[405] Chairman Statement of the First Meeting of the ARF (1994), available: www.aseanregionalforum.asean.org, accessed: 12/07/2016.

[406] Although most observers have claimed that the Concept Paper was an ASEAN initiative [Acharya (2014); Caballero-Anthony (2005)] there is some disagreement and others suggest that AMS may have had a less influential role [Yuzawa (2007)].

[407] Concept Paper of the ARF (1995), available: www.aseanregionalforum.asean.org, accessed: 13/07/2016.

intramural cohesion and an intensification of intra-ASEAN relations in order to maintain and fully utilise its centrality and relevance vis-à-vis extramural actors. The ASEAN community and its identification of expanded cooperation, she argues, is also a particular example of expanded ASEAN cooperation in response to external requirements.[408] As we recall, this is an argument also made by Caballero-Anthony who argued that in response to the Cambodian conflict, the o-AMS needed to define a common regional position, partly at the expense of self-interest defined in purely national terms. This facilitated identity genesis and helped establishing the ARF. Ba gives this thought an internal institutional edge by combining the external dimension with the exclusively intramural AC15 community building.

ASEAN and China

In practical terms, most Asia-constructivists naturally look towards China. By way of evidence for their arguments more often than not Sino-ASEAN relations and Chinese participation in ASEAN initiated institutions and regimes is cited. Plenty of authors begin by accepting that ASEAN has indeed been able to take the lead in wider East Asian institution building and manages to increasingly engage externals such as China and the United States. [409] The existence of institutions such as the ARF, ASEAN+3, and EAS confirm that ASEAN has managed to become the driver of multilateral diplomacy in Asia just as much as China's signature of the TAC in 2003. English School scholar Evelyn Goh states that although Southeast Asian nations continue to rely on the U.S. as '*the balancer of first resort against China*' they proactively try to engage the PRC into regional institutions.[410] Acharya concurs and writes

> *Asean seek to ensure China's enmeshment in a system of regional order in which the costs of any use of force in dealing with problems with its neighbours will be outweighed by benefits. The key element of this approach is the ARF*.[411]

Ba credits ASEAN with enhancing regional stability in East Asia by solidifying and reinforcing the willingness of China to participate in regional initiatives at a time of

---

[408] Ba (2010): 119.
[409] Eaton/Stubbs (2006); Ba (2010); Goh (2012), Shambaugh (2005); (2005b).
[410] Goh (2007): 826.
[411] Acharya (2014): 195.

uncertain domestic and global politics and when regional multilateralism was more foreign and even a bit suspect, in particular to the Chinese leadership.[412] In her view, ASEAN has managed to *'persuade China to think differently and less confrontationally about regional security and its relations with the ASEAN states.'*[413] She considers it '*most striking*' that despite ever increasing Chinese leverage, the PRC ostensibly continues to reassure ASEAN Member States (AMS) by being actively involved in multilateral initiatives and by continued emphasis on dialogue and consultation. China regarded ASEAN now as '*potential partner and even friend*.'[414] Acharya does not see any evidence either that China might attempt to disunite AMS in order to exercise its dominance. Instead it largely adheres by ARF rules.[415] Hughes has highlighted in this regard the similarities between the ASEAN way and China's own norms of the "five principles of peaceful coexistence" and how this apparent norm convergence facilitates stable Sino-ASEAN interaction.[416] Alice Ba claims that although AMS continuously rely on the U.S. as a regional stabiliser, uncertainty about the future of U.S. engagement in the region has forced ASEAN to engage China by pursuing a strategy of "complex engagement", which Ba describes as '*an active search for points of consensus towards persuading another to change its attitudes and/or beliefs about a particular subject, issue, or relationship*.'[417] The success of this parallel engagement strategy has apparently been so great that Ba concludes

> *the last decade has seen ASEAN give greater prominence and centrality to complex engagement processes, such that increasingly, it is now U.S. security guarantees that provide the hedge for engagement processes with China, rather than the other way around as it was in the early 1990s*.[418]

David Shambaugh agrees that Beijing's regional ambitions can be channelled through regional engagement. China signing up to the Treaty of Amity and Cooperation and the Declaration on the Conduct of Parties in the South China Sea was an

---

[412] Ba (2010): 118.
[413] Ba (2006): 161.
[414] Ba (2006): 167; Shambaugh (2005) argued similarly, but focussed more on the Chinese side of the equation.
[415] Acharya (2014): 267.
[416] Hughes (2010): 64f.
[417] Ba (2006): 161.
[418] Ba (2006): 166.

'*unprecedented step*' that '*binds China to the core elements of ASEAN's 1967 charter*' and '*formally commits China to enforcing the principles of nonaggression and noninterference, as well as a variety of other conflict resolution mechanisms*.'[419] He continues that unlike a few years ago '*the majority of Asian states currently view China as more benign than malign and are accommodating themselves to its rise'*.[420] Chinese participation in many regional institutions and regimes will not only mollify potentially revisionist expansionism, but also increase transparency, reduce transaction costs and thus increase mutually beneficial cooperation. Hence, the recent proliferation of pan-East Asian institutions is significantly increasing Asia's future stability.[421] In both cases, it is not only ASEAN trying to engage China on terms favourable to ASEAN out of instrumental necessity in the face of great power asymmetry, but China is apparently reciprocating with a more benign regional policy. Asian actors such as China and Japan increasingly looked towards '*the most successful regional organisation'* because they understand that '*they themselves lack the legitimacy and authority to lead regional processes. This dynamic widens the opportunity for ASEAN to shape new arrangements*.' [422] Eventually, Alice Ba argues, ASEAN's expanding horizon and active engagement of the wider region has led East Asia to become '*ASEAN-ised in content and form*.'[423]

> *[…] there does appear to be awareness among the major powers [...] that they each, in different ways and varying degrees, have reputational problems that can detract from their ability to achieve goals, and that ASEAN and regional multilateralism offer them ways to make their own roles and interests in the region less controversial and provocative – in a word, legitimate. This is most apparent in the incorporation of regional multilateralism in China's "new security" practices in which regional multilateralism has become a key piece*.[424]

---

[419] Shambaugh (2005b): 75.
[420] Shambaugh (2005): 67.
[421] Shambaugh (2005b): 73ff.
[422] Ba (2009): 244.
[423] Ba (2009): 245.
[424] Ba (2010): 127.

Selection of key authors	Analytical question/problem/subject matter	Major assumptions	Selected key research variables			Conclusions
			IV	DV	IntV	
Acharya	Regional security; is ASEAN a security community? Origin and role of norms in Southeast Asia; norm diffusion.	ASEAN cooperation based on shared norms and common understanding of regionalism (ASEAN way); regional adoption of norms creating identity and security/stability.	Cognitive prior (imagined community); socially constructed international/regional system; Norms and Norm-setting (ASEAN way, localisation).	Shared identity; security community; localisation of norms.	ASEAN way; non-violent cooperation; reinterpretation of norms.	ASEAN is a nascent security community with shared identity.
Adler; Adler/Barnett	Illiberal security communities.	Regional integration through mutual identification; social learning.	Socially constructible international/regional environment.	Security; we-feeling; cordial cooperation.	Shared identity, values and conceptual meanings; shared practices (self-restraint) and habits; social learning.	ASEAN as illiberal security community.
Ba	Regional security; ASEAN's role in wider East Asian security architecture.	ASEAN managed to engage relevant powers in institutions and regimes where norm-spreading and -receiving takes place.	Lack of legitimate regional leadership, (organisational vacuum); socially constructed international/regional system; also pan-East Asian values.	ASEAN-isation of East- and Southeast Asian security.	ASEAN cohesion; Asian wide appeal of ASEAN way; norm diffusion and social learning.	ASEAN contributes significantly to regional security as the facilitator of peaceful cooperation.
Bellamy	Security communities (ASEAN and others); alternatives to security dilemma dynamics.	No pre-society "state of nature"; all interactive system are sociologically constructed.	Socially constructed environment; shared sense of post-colonial vulnerability; common threat perceptions (instability).	No war communities and spreading of those.	Practises and habits of ASEAN way; (intra- and extramurally)	No war community ASEAN; ASEAN centrality.
Katsumata	Institutions as management mechanism of ASEAN's external relations; rejection of rationalist explanations of the ARF; norm based alternative.	ASEAN is Asia's norm-brewer; insufficient explanatory quality of rationalist theory.	Discourseon regional security led to nascent ideology of cooperative security in Asia.	Asian security institutions as result of norm-based security cooperation.	Track-1.5 and -2 ideas (security norms).	ASEAN dominates regional security architecture as regional norm brewer.
Caballero-Anthony	East and Southeast Asian security; ASEAN's role in regional conflict resolutions/management.	ASEAN way contributes significantly to establishment and maintenance of regional stability.	Need for security cooperation; socially constructed international/regional system.	ASEAN centrality; conflict management mechanisms as a norm-building exercise based on ASEAN way.	Intersubjective understanding.	ASEAN successful in establishing and maintaining stability.

	Change and evolution in ASEAN mechanisms of conflict management; Rejection of rationalist explanations; reciprocal influence of state and non-state actors and ASEAN.	Actors and processes influence each other and alter interests, preferences, norms, and identity (both intra- and extra-regional).	Power Vacuum; socially constructed international/regional system; elite perception of threats to stability in post-Cold War Southeast Asia; need to maintain equilibrium.	ASEAN institutional change as result of responding to challenges; Southeast Asian identity and sense of community.	ASEAN way; intersubjectivity; interaction with non-state actors.	ASEAN way and ASEAN remained relevant and significant.

Asia-constructivists concepts	Selection of some key Authors	Application to ASEAN	Conceptual relation to traditional constructivism
ASEAN's competence power	Eaton/ Stubbs	ASEAN ability to define the terms of interaction in extramural ASEAN+ institutions and regimes.	Power seen as social concept, defined in terms of structure shaping ability (e.g. Hopf; Ruggie; Arendt); norm-cascade (e.g. Finnemore/Sikkink).
Power to enmesh	Goh	ASEAN's ability to engage greater powers on their terms.	Power seen as social concept, facilitated by institutions where norm cascade can occur (e.g. Finnemore/Sikkink). In Goh's case also: practical considerations, ASEAN as the only viable actor to facilitate regional relations (English School approach)
ASEAN way	Acharya	ASEAN terms of interaction establish the rules by which AMS interact.	Constitutive and regulative norms (e.g. Katzenstein); norms as the collective understanding of proper behaviour guiding interaction (e.g. Legro).
	Caballero-Anthony	Shared understanding of appropriate mechanism to manage regionalism.	Intersubjective understandings of ideas, norms, and appropriateness (e.g. Katzenstein; March/Olsen).
Practices	Adler	The illiberal security community ASEAN developed due to practices of self-restraint, fostering habitual adherence to the ASEAN way.	Communities lacking shared interpretations of liberalism and democracy cooperate on the basis of non-violence as the constitutive norm; habitus formation occurs through continuing practice of non-violence and self-restraint (e.g. Bjola/Kornprobst); Elias)
Socialising extra mural powers/ Norm-brewery	Ba; Caballero-Anthony	ASEAN's ability to spread the norms of the ASEAN way into the wider region, which will be accepted by external actors; norm-building exercise through socialisation.	Norm cascade via institutions; norm-entrepreneurs spread norms and norm-takers adopt; norm cascade occurs and -takers internalise norms via practices facilitating identity convergence (e.g. Finnemore/Sikkink).
	Katsumata	Diffusion of peaceful ASEAN norms via institutions such as the ARF.	
Norm localisation	Acharya	Adoption and local re-interpretation of foreign norms.	Not similar, but in technical terms related to norm-cascade.
ASEAN identity	Acharya	Identity and interest convergence among o-AMS and assimilation of both by new AMS based on commonly shared norms and cognitive prior; facilitates community building.	Identity and interests as the appreciation of the self in relation to others and the environment; definition and acceptance of appropriateness by social interaction in various settings; produced and re-produced.

ASEAN as (nascent) security community	Caballero-Anthony	In the context of common threat/problem (Cambodian conflict), AMS interacted, balanced regional and national interests and realised an interest convergence among all AMS; developed a sense of community and regional identity.	All systems of interactions socially constructed; various ways to establish a situation of dependable expectation of peaceful change; mutual reconstitution of identity and interest; also more practical: functional spill-over from material self-interest to identity of trust and community (e.g. Deutsch, Wendt).
	Bellamy	Based on shared post-colonial experience, AMS build a community of shared norms and values, leading to a security community.	

3.3. Some Preliminary Conclusions

This thesis does acknowledge that the typical post-Cold War theoretical pluralism in IR has also been applied to Asia. The characteristic dichotomy of constructivist vs. rationalist paradigms (including realist and liberal schools) exists and has in recent years been valuably expanded by English school scholars who try to offer a picture of regional relations based on the analytical tripartite of objective observation, historicism, and theoretical eclecticism.[425] Nonetheless, it cannot go unnoticed that in the case of specifically Southeast Asia's IR, there is a conspicuous dominance of constructivism influenced approaches borrowing constructivist variables and presumptions. Echoing much of ASEAN rhetoric, the above introduced authors and concepts perceive ASEAN as the region's norm-entrepreneur par excellence and its main contribution to Asian regionalism as normative and ideational inspiration, even leadership facilitating intra- and extramural stability and security. The association has in those views managed to create a (nascent) security community, based on shared norms and a burgeoning ASEAN identity. ASEAN has ostensibly also acquired the regional and global image of being a neutral and honest broker of regional affairs, enabling it to engage all relevant actors, including more powerful ones, in institutionalised ASEAN-centred regionalism. According to some, this has enabled ASEAN to impact the regional architecture and even alter other actors' preferences and interests, making those more amenable.

What we witness here is that plenty of regional experts implicitly rely on constructivist variables of norms, identity, social learning, and the emphasis of the

[425] Goh (2007); (2014).

social rather than strictly material environment. For instance, the emphasis on the merits of the ASEAN way has its roots in constructivist norm literature. Wendt's notion of mutually constitutive structure and agency dynamic, a socially constructible regional system, norm diffusion concepts, and the ultimate results of constructivist perceptions of power – competence power – are frequent reference points in what I have called Asia-constructivist analyses. Thus inclined authors have applied their concepts to Asian regionalism rigorously and been inclined to see ASEAN as a security community, the intra- and extramural socialiser in the driver's seat of regionalism, and by an large presuppose a great deal of ASEAN actorness.

Unfortunately, those claims seem to be not backed-up by hypotheses testing and solid evidence, which is at the very least suspicious. When making variables such as behavioural norms and identity change the centrepiece of analyses, there ought to be an observable and tangible impact on policy behaviour. Prima facie observation of East- and Southeast Asian IR however suggests that Asia-constructivist eyes seem to remain wide shut. There is the possibility of a norm-biased ideological predisposition among Asia-constructivists and perhaps even an undue credit to ASEAN actorness. The following case studies shall try to reconcile this prima facie observation and Asia-constructivist assumption. They shall assess ASEAN's practical "supply" in the context of this indeed high theoretical "demand". The following empirical part of this thesis also attempts to help rectifying the lack of empirical evidence and shed some light on the status quo of East- and Southeast Asian regionalism. Results will aid critical appraisal of both Asia-constructivists and ASEAN itself.

4.1. Case Study 1: South China Sea Disputes – ASEAN Central or Sidelined?

> *It is necessary for us if we are really to be successful in giving life to ASEAN to marry national thinking with regional thinking. We must now think at two levels. We must think not only of our national interests but posit them against regional interests. (S. Rajaratnam, 1967)*
> *Centrality is a phrase coined by ASEAN, enshrined in our Charter, and conveniently subscribed to by our Dialogue Partners and others. But it is a role that needs to be earned and re-earned all the time. It is not prescribed, but must be acquired. (Surin Pitsuwan, 2015)*[426]
> *We still see a gap between the diplomatic track and the political commitment, and the real situation out at sea (ASG Le Luong Minh, 2015)*[427]

This is the first of three case studies intending to evaluate the degree of ASEAN's actorness in the ASEAN Political-Security Community (APSC) pillar. Attention will be on the fundamental element of centrality. Consistent with the overall research design, this empirical case study as part of the overall critical appraisal of ASEAN actorness takes place against the backdrop of a set of benchmarks derived from the "demand side" consisting of conclusions of Asia-constructivists as well as ASEAN ambition and self-perception. The empirical part incorporates a number of individual, yet interconnected maritime disputes in the South China Sea (SCS) over both territory and resources. Most prominently around the Spratly and Paracel Islands and adjacent waters, including features such as the Scarborough Shoal, as well as, owing to recent developments, the Natuna Islands.[428] All official SCS

[426] ASEAN Focus (2015): 16, Interview with Surin Pitsuwan.
[427] *The Wall Street Journal* (Nov 22, 2015): Asian Nations look beyond Asean to solve South China Sea disputes.
[428] Consistent with the language of this thesis, reefs, islands and the sea itself will be referred to by common, internationally recognised, not country specific names. Usage does not infer any political statement.

claimants (China, Taiwan,[429] Vietnam, Philippines, Malaysia, Brunei) have multiple overlapping claims in the SCS. Additionally there are what shall henceforth be called the "interested parties", particularly Indonesia and Singapore. Territorial disputes in Southeast Asia are not limited to the SCS and there is also the very significant mostly non-ASEAN, geopolitical element of a wider great power struggle currently unfolding between Washington and Beijing.[430] However, as arguably the greatest traditional security concern of contemporary Southeast Asia, largely determining Sino-ASEAN relations, the SCS represents a great test for ASEAN's claims to be in the "driver's seat" of multilateral regional security, i.e. its centrality. As argued in previous chapters ASEAN centrality is indicative of ASEAN's extramural relevance, in particular within the APSC pillar. The quality, effectiveness, and integrity of centrality consists of several elements, most importantly ASEAN's ability to project its norms into the wider Asia-Pacific security theatre by setting, or at least overproportionately affecting the rules of regional multilateralism, i.e. it's alleged "competence power". Centrality requires a certain degree of internal unity and organisation as well as external recognition.

I propose the following case specific research question:

Can the notion of ASEAN centrality in the wider regional security architecture be substantiated in practice?

This chapter represents a "hard case study" of ASEAN and arguably throws ASEAN into the deep end. China has become a formidable regional power and appears to be determined to increasingly shape the region in its favour. In material terms, ASEAN and its members are no match for China and even the only regional super power, the U.S. is struggling. What is more, Beijing behaves increasingly aggressive in waters that AMS consider their own. Yet, there are many channels of communication and close historical and personal links between individual AMS, ASEAN as an organisation

---

[429] For the purpose of this thesis the Taiwanese perspective and claims are not significant and will be omitted.

[430] The struggle over geopolitical space in the Pacific between the U.S. and China is very well documented elsewhere: Walt (2011); Huxley/Schreer (2015); Tow (2015); Emmers (2009); Thayer (2011); Storey (2012b).

and China. Disputes as they are unfolding in the SCS will determine future Sino-ASEAN relations. Precisely because of this, the SCS is a perfect case study of ASEAN's ability to be in the driver's seat of regional security.

Like all case studies, we begin by introducing some of the ASEAN and Asia-constructivist perspectives that make up the demand side. This will partly be a brief recap of chapter 3, but more case specific. From this, I shall derive three critical benchmarks and corresponding KPIs against which ASEAN's agency, the "supply" can be measured. Since the matter is very complex, the background part of this first case study must inevitably include a brief background analysis, including the importance of the SCS in general, relevant claims, and China's greater geopolitical strategy. It would however be tedious and well beyond the scope of a single case study to recount every instance of dispute related confrontation between claimants. Instead, a few selected examples will clarify Chinese assertiveness and the regional response. After ASEAN supply has subsequently been analysed, the final part of this chapter will ask whether or not benchmarks have been met and some preliminary case specific conclusions shall be drawn. In sum, I content that although ASEAN fails to meet most of the KPIs and thus critical benchmarks, ASEAN does have a crucial role to play in the wider East Asia security architecture. Albeit not coming close to the remarkable security relevance Asia-constructivists and the association presume, ASEAN is not superfluous to extramural East Asian security. The concept of centrality is overstated and has been misunderstood.

Demand Side – ASEAN and Centrality.

In theory, ASEAN is the chief organisation in East- and Southeast Asian security multilateralism and thus, at the heart of the South China Sea disputes. Considering ASEAN's stated goals and ambitions, the organisation demands nothing less of itself. Asia-constructivists have taken ASEAN rhetoric at face value and are by and large fairly optimistic that the association possesses both the ambition and the means to be in the driver's seat of regional security and by extension, at the centre of the quarrels surrounding the South China Sea (SCS).

ASEAN Rhetoric

> *The central and proactive role of ASEAN as the primary driving force in its relations and cooperation with external partners in a regional architecture that is open, transparent and inclusive as emphasised by the Charter. This reflects ASEAN's commitment to be the hub for the evolving and complementary structures in the region and for engaging the major players of the world for strategic and economic reasons. Such a role would help to balance the geo-politics in the region thereby focusing ASEAN's efforts in building its Community while contributing to peace and prosperity of greater East Asia.*[431]
> *[ASEAN shall be a] community that strengthens our unity, cohesiveness and ASEAN centrality as well as remains the primary driving force in shaping the evolving regional architecture that is built upon ASEAN-led mechanisms.*[432]

The 2009 ASEAN Political-Security Community Blueprint envisages three elements to be the underlying characteristics of the security pillar of AC15.

> *1. A Rules-based Community of shared values and norms;*
> *2. A Cohesive, Peaceful, Stable and Resilient Region with shared responsibility for comprehensive security;*
> *3. A Dynamic and Outward-looking Region in an increasingly integrated and interdependent world.*[433]

In order to fulfil those characteristics, ASEAN declared in the immediate aftermath of the Cold War and crucially, ASEAN extension, it ought to strengthen its role as the primary driver of extramural security processes in the form of ASEAN-based institutions such as the ASEAN Regional Forum (ARF), East Asia Summit (EAS) or the later day ASEAN Defence Ministers' Meeting Plus (ADMM+).[434] ASEAN elites believed that if complex engagement had managed to positively transform Southeast Asia's conflictual pre-ASEAN relations, it could do the same in the wider Asia-Pacific. In particular, ASEAN had an evidently rising, hard to calculate China, the military dominance of the U.S., and how those two elements would relate to each other in mind.[435] As already highlighted in previous chapters, the primary goal, manifest in the centrality concept, was to remain relevant in the light of great power dynamics

---

[431] Speech by Pushpanathan, S., Deputy Secretary-General of ASEAN (2009).
[432] ASEAN Community Vision 2025 (2015): Art 8.8.
[433] APSC Blueprint (2009): II.10, available: www.asean.org, accessed: 22/06/2016. .
[434] ASEAN Hanoi Plan of Action (1997): ASEAN Vision 2020, available: www.asean.org, accessed: 02/01/2016.
[435] Leifer (1989).

and a changing post-Cold War security environment. The ambitions embedded in centrality were firmly placed with the APSC and articulated and constantly reinforced inter alia in the various Bali Concords, the corresponding APSC blueprints, the Hanoi Plan of Action, the Charter, and most recently Vision 2025. The very first article of ASEAN's main legal body, the Charter, specifically states that it is one of ASEAN's foremost purposes

> *to maintain the centrality and proactive role of ASEAN as the primary driving force in its relations and cooperation with its external partners in a regional architecture that is open, transparent and inclusive.*[436]

In this light, ASEAN regarded the acceleration of the AC15 integration process by five years as a means to forcefully strengthen the institutional substance of ASEAN. This in turn would also quicken and *'reinforce ASEAN's centrality and role as the driving force in charting the evolving regional architecture.'*[437] Against the backdrop of China's exorbitant rise accelerated in the aftermath of the Cold War and increasingly obvious in the post Asian financial crisis years, ASEAN argued that fast-tracking the integration schedule would result in much needed greater regional resilience and by extension enhance and effectively strengthen its overall clout in the regional security theatre as

> *[a] community, in the interest of developing friendly and mutually beneficial relations, that deepens cooperation with Dialogue Partners, strengthens engagement with other external parties, reaches out to potential partners, as well as responds collectively and constructively to global developments and issues of common concern.*[438]

Most recent documents such as the 2015 Kuala Lumpur Declaration on ASEAN 2025 further accentuated this ambitious endeavour in particular in the light of the new geopolitical realities in the Asia-Pacific with an effectively "risen" China.

> *Recognising that the rapidly changing geostrategic landscape continues to present both opportunities and challenges which require ASEAN to respond proactively, in order to remain relevant as well as to*

---

[436] ASEAN Charter (2007): Art 1.15, available: www.asean.org, accessed: 22/06/2016.
[437] APSC Blueprint (2009): I.3.
[438] ASEAN Community Vision 2025: Art 8.9.; available: www.asean.org, accessed: 20/04/2016.

> *maintain ASEAN centrality and role as the primary driving force in the evolving regional architecture.*[439]

ASEAN elites had undeniably set an early unambiguous goal and to this day continue to emphasise their ambition to maintain centrality in the multilateral Asian security architecture. Simultaneously, those assertions imply that ASEAN interestingly regards its ostensible centrality not as an ambition as much as a status quo to be preserved.

Achieving and maintaining centrality is of course no end in itself for ASEAN. In the driver's seat of regional security multilateralism, ASEAN intends to shape the evolving regional architecture in order to contribute to peace, security, and stability on the basis of proactive engagement and

> *friendly and mutually beneficial relations with external parties to ensure that the peoples and Member States of ASEAN live in peace with the world at large in a just, democratic and harmonious environment.*[440]

To substantiate and realise those laudable objectives, ASEAN defines plenty of necessary preconditions as well as means and processes. It does not take much to appreciate that effectiveness in regional security is greatly enhanced by internal unity and coherence. Consequently, ASEAN primarily feels it needs to be united in order to be central and centrality depends on the robustness of the ASEAN Community project. The 2005 Kuala Lumpur Declaration had already promulgated that ASEAN must realise the

> *ASEAN community [as] a concert of Southeast Asian nations; outward looking, […] bonded together in partnership in dynamic development and in a community of caring societies.*[441]

In 2015, this was reinforced by declaring that ASEAN *'upholds and strengthens ASEAN unity, cohesiveness and ASEAN centrality in the evolving regional architecture that is built upon ASEAN-led mechanisms.'*[442] In order to establish this unity and

---

[439] Kuala Lumpur Declaration on ASEAN 2025 (2015); available: www.asean.org, accessed: 20/04/2016.
[440] APSC Blueprint (2009): C.26; also II.8; I.1; I.3.
[441] Kuala Lumpur Declaration on the Establishment of the ASEAN Charter (2005); available: www.asean.org, accessed: 22/04/2015.
[442] APSC Blueprint (2015): C.10., available: www.asean.org, accessed: 22/04/2016.

cohesiveness, the Charter had already specified the need for and means of internal institutional coherence before extramural relevance can be realised. ASEAN ought to conduct internal *'enhanced consultations on matters seriously affecting the common interest of ASEAN'*[443] and critically demanded that AMS abstain from

> *participation in any policy or activity […] by any ASEAN Member State or non-ASEAN Member State or any non-State actor, which threatens the sovereignty, territorial integrity or political and economic stability of ASEAN Member States.*[444]

In a position of intramural unity and cohesion, ASEAN considers itself well placed to spawn institutional opportunities for extramural interaction and the engagement with relevant outside actors. The 2011 Bali Concord III for example declares ASEAN feels encouraged

> *by the progress of ASEAN cooperation and partnership with its external partners in all of the three pillars of the ASEAN Community within the framework of ASEAN Plus One, ASEAN Plus Three, ASEAN Regional Forum, and the East Asia Summit, as well as other ASEAN-initiated regional processes, while maintaining ASEAN centrality.*[445]

ASEAN therefore sees its ambition fulfilled by hosting and shaping regional institutions and forums where centrality should be advanced and current and future security challenges can be addressed in the context of enhanced capacities and capabilities.[446] As explained in chapter 2, the ARF in particular should reduce conflict by igniting a cooperative process that would lead participants from initial confidence building measures (CBM) all the way towards eventual preventive diplomacy. The ASEAN spawned ARF therefore intends to *'foster the habit of constructive dialogue and consultation on political and security issues of common interest and concern'* in order to *'make significant contributions to efforts towards confidence-building and preventive diplomacy in the Asia-Pacific region.'*[447] Although most observers agree that the EAS as a more comprehensive, and the ADMM+ as a more security relevant

---

[443] ASEAN Charter (2007): Art. 2.2.g.
[444] ASEAN Charter (2007): 2.k.
[445] Bali Declaration on ASEAN Community in a Global Community of Nations (2011); available: www.asean.org, accessed: 02/01/2015.
[446] APSC Blueprint (2015): B1.2 - B1.5.
[447] Chairman's Statement of the 1st Meeting of the ARF (1994), available: www.aseanregionalforum.asea.org, accessed: 16/07/2016.

forum have largely taken over in terms of multilateral security, ASEAN declared in 2015 that it intends to further strengthen the role of the ARF Chair in order to effectively enhance dialogue, promotion of CBMs, preventive diplomacy, and conflict resolution.[448] Hence, despite a present day multitude of relevant security institutions in the international relations of the Asia-Pacific,[449] ASEAN continues to attach great relevance to one of its "first-born" and sees the role of the ARF first and foremost as the facilitator of tangible cooperation and confidence building between itself and relevant extramural actors.

Via the plethora of such diverse avenues, ASEAN elites intend to project their own core norms, encapsulated in the ASEAN way, that have ostensibly helped to stabilise a post-1967 Southeast Asia, into the wider Asia-Pacific region. ASEAN intends to

> *[c]ontinue initiating, hosting, chairing and/or co-chairing activities and meetings with Dialogue Partners and other external parties within the context of all ASEAN-led mechanisms.*[450]

Chapter 3 has explained how Asia-constructivists see ASEAN as the pan-Asian norm-entrepreneur. The above shows that ASEAN itself implicitly agrees, intending to export, maintain, and reinforce an ASEAN-initiated, -based, and critically ASEAN-led rules-based order reflecting its own ASEAN way, its own norms. This order represents the '*main vehicle in realising the long-term goal of an East Asia community with ASEAN as the driving force in the evolving regional architecture.*'[451] Whatever the interpretation, this certainly is an ambitious and unambiguous project.

To its great credit, ASEAN has not stayed on the surface of generalisation but identified certain key areas that it regards as pivotal to fulfil the greater objective of reliable rules-based regional security. In the light of this case study particular Bali II is noteworthy, highlighting that

> *[m]aritime issues and concerns are transboundary in nature, and therefore shall be addressed regionally in holistic, integrated and*

---

[448] APSC Blueprint (2015): B1.1.viii.
[449] Chapter 2 for more detail.
[450] APSC Blueprint (2015): C1.2.i.
[451] APSC Blueprint (2015): B1.5.i.

> *comprehensive manner. Maritime cooperation between and among ASEAN member countries shall contribute to the evolution of the ASEAN Security Community.*[452]

Something ASEAN's latest notable document that could be considered in this thesis, ASEAN Vision 2025, reaffirms by stating that it wants to be

> *[a] community that enhances maritime security and maritime cooperation for peace and stability in the region and beyond, through ASEAN and ASEAN-led mechanisms and adopts internationally-accepted maritime conventions and principles.*[453]

The above samples allow us to get some insight into ASEAN's ambitions and goals and thus, what ASEAN leaders ex- and implicitly demand of their common organisation. In sum, ASEAN seeks to realise, maintain, and continuously strengthen its relevance by being the initiator, procedural proto-type, host, agenda-setter, and key participant in wider East Asian institutionalised regional security multilateralism. This can, ASEAN believes, only be realised on the basis of internal unity and coherence, regional resilience in the context of a "concert of Southeast Asian nations". Centrality is of course no end in itself but laudably pursues the overall goal to facilitate, establish, and maintain a rules-based security environment certainly conducive to a peaceful, stable, and harmonious East- and Southeast Asia. ASEAN seems convinced that its own norms and processes are the yardstick. This explicitly includes both security in the maritime domain and China.

Asia-constructivists

Considering their norm-bias, not surprisingly Asia-constructivists have been attracted by ASEAN's ambition to engage all relevant regional powers within a multilateral security architecture constructed around ASEAN indigenous norms. As demonstrated in detail in chapter 3, unlike realist theories, a constructivist take on such ASEAN centred engagement process does not concentrate on material asymmetries or sanction- and reward mechanisms but on the socialising impact of the ASEAN way. In

---

[452] Declaration of ASEAN Concord II (2003): A.5, available: www.asean.org, accessed: 16/07/2016.
[453] ASEAN Community Vision 2025 (2015): Article 8.5 – 8.9, available: www.asean.org, accessed: 16/07/2016.

this view, ASEAN-initiated and -led institutions and regimes facilitate norm diffusion processes that enable ASEAN to act as East Asia's socialiser while the thus engaged extramural actors become norm-recipients by appreciation, adoption, and internalisation of ASEAN spawned procedural and ideational norms. Acting in concert, ASEAN initiates what Finnemore and Sikkink have termed a "norm cascade" process. Constructivist logic in general and Asia-constructivist logic in this particular case suggests that regional security and stability can derive from this diffusion and internalisation that results in pan-Asian security norm compliance, including all relevant actors. Norm-diffusion within institutions in this view creates habits of non-violent cooperation and eventually fosters common identities. The ASEAN model is thus transferred into the wider Asia-Pacific. This is seen as the practical outcome of ASEAN centrality.

In her 2014 comprehensive and groundbreaking work Evelyn Goh calls the attempt to bind extramural actors into ASEAN-based processes "institutional entrapment".[454] Goh skilfully demonstrates how multilateral institutions can address the realist problem of unequal power by enmeshing the materially more powerful state into norm-based processes, establishing habits of cooperation along a particular set of norms and principles that may well be based on the standards of the weaker party.[455] In this view, power asymmetries become less of a disadvantage to the weaker and the negative parameters of realpolitik are, if not transcended, at least mitigated against. If one was to buy this argument in general while accepting the significant power asymmetries underlying ASEAN-China relations, then ASEAN has the potential to wield a significant degree of a specific kind of power, unproportional to its combined material weight vis-à-vis China. Facilitated by ASEAN-led institutions and regimes, ASEAN would be able to create an intersubjective understanding of appropriate behaviour based on its own preferences. This essentially constructivist concept of power could be used to initiate, manage, and perpetuate ASEAN's preferred rules-based regional order. In other words, outsiders subscribe to, or in

[454] Goh (2014).
[455] Goh (2014): 42ff.

Alice Ba's words are being socialised[456] into the insiders' norms and practices. Eaton and Stubbs had termed this understanding of ASEAN power "competence power".[457] If successful, in this specific case ASEAN would be able to tame Chinese ambitions in the SCS over time and mitigate the inherent power asymmetries that realists regard as the main determinant of unequal interstate relations. ASEAN would have attained and institutionalised a position of unproportional strength vis-à-vis China in the SCS.

This is at the heart of Asia-constructivist perspectives of ASEAN centrality and lends credence to ASEAN's claim to the driver's seat of East Asian security multilateralism. ASEAN's security institutions are seen as forums of social interaction where ASEAN can promote and project its norms and thereby establish rules of regional cooperation. Whereas pessimists have asserted that institutions based on the ASEAN way cannot possibly be more than "talking shops", lacking binding commitments and compliance enforcement mechanisms, [458] optimistic Asia-constructivists see the proliferation of ASEAN norms not only as the reason for successful security multilateralism in East Asia, but also as confirmation of variables of constructivist theory.[459] In 2009 Alice Ba for instance wrote,

> *[a]s a dialogue-driven process, ASEAN regionalism is in fact a lot of talk; however, it is not talk without substantive, material effects. ASEAN's talk shop has produced new social norms, a new culture of regional dialogue, as well as new social and institutional practices that stress respect (manifested most notably in a consensus-based regionalism) and nonconfrontational, inclusive engagement. The practical effect of such changes is a regional system based on nonviolent resolution of problems and the normative belief that states should work toward regional solutions. One can criticize ASEAN norms […], but they are also why interstate conflicts have not escalated.*[460]

Asia-constructivists such as Ba and Caballero-Anthony therefore see precisely those elements that pessimists have identified as weaknesses, as the strengths of ASEAN-based institutionalism. ASEAN's centrality, as Caballero-Anthony has argued, should

---

[456] Ba (2006).
[457] Eaton/Stubbs (2006).
[458] Beeson (2016); Jones/Smith (2007).
[459] Caballero-Anthony (2005): 32ff.
[460] Ba (2009): 5.

be understood in terms of its significance in amplifying the capability of ASEAN to influence and shape the regional environment and security order.[461]

In practical terms, ASEAN assumes centrality by being the host, mediator, and agenda-setter and by providing the procedural prototype. In a context of mutual great power enmity none of the major material powers could lead multilateral dialogues the way the honest broker ASEAN is able to. With ASEAN being apparently non-aligned and the only viable alternative, the association became the default host of all regional security multilateralism. ASEAN has in this view been put in a position where it can persuade extramural powers to subscribe to its normative principles, to become norm-recipients. In ASEAN initiated networks, created and maintained by institutions and regimes, ASEAN's centrality materialises in the ability to define and create a rules-based order based on precisely those principles codified in the ASEAN way and security regimes such as the Treaty of Amity and Cooperation (TAC). Of particular importance are ASEAN's agenda setting ability and its power to determine who may participate.[462] Catherine Jones believes ASEAN's role to be one of a mediator between the great powers, allowing it to "use" its external dialogue partners to ensure relative stability and security.[463]

Increasing Chinese participation since the mid-1990s is often cited as empirical evidence.[464] In the wake of the Cold War when China was still comparatively weak, ASEAN's focus turned towards managing its inevitable rise by engaging it in institutions and regimes. As Evelyn Goh writes,

> *[i]nsofar as a large measure of the logic of ASEAN-style multilateral institutions relies on the constructivist conviction that institutional membership would, over the medium term, create expectations and obligations on the part of the great powers, and over time, socialize them into embracing peaceful norms, China's voluntary self-restraint and pursuit of mutual benefits signaled a good start to what was potentially the most dangerous part of the post-Cold War transition.* [465]

---

[461] Caballero-Anthony (2014): 587.
[462] Caballero-Anthony (2014): 571f.
[463] Jones (2015).
[464] Ba (2006; 2010); Caballero-Anthony (2005).
[465] Goh (2014): 53.

By expanding the ASEAN process weak AMS had indeed gained the advantage by enmeshing greater powers. Similarly, Acharya asserts '*ASEAN has used socialization and persuasion to engage not only other Southeast Asian and East Asian countries, but all the great powers of the current international order.'*[466] Beginning with China joining the ASEAN Regional Forum (ARF) in 1994, signing up to the Declaration on the Conduct of Parties in the South China Sea (DoC) and the TAC in subsequent years, China ostensibly agreed to a set of ASEAN conceived norms and implicitly acknowledged and accepted ASEAN centrality. China would choose to participate in an ASEAN-led regional order and implicitly recognise ASEAN as the convener, the procedural role model, and the agenda-setter of the regional multilateral architecture. A number of relevant Asian actors increasingly looked towards '*the most successful regional organisation'* because they understand that '*they themselves lack the legitimacy and authority to lead regional processes. This dynamic widens the opportunity for ASEAN to shape new arrangements*.' [467] Corresponding well with traditional constructivist notions, this ASEAN-based multilateral security architecture ostensibly ignited a socialisation process beginning to alter Chinese preferences.[468] Over time, ASEAN gained the initiative and was enabled to use its own political priorities and processes to shape the nature of institutions, such as the ARF, which, in Hiro Katsumata's view became the regional "norm-brewery". Institutionalised CMBs are therefore seen as ASEAN-led, pan-Asian norm building exercises by which ASEAN projects constructivist power in the form of norms, not material might.[469] China as the recipient of ASEAN established norms and procedures is thus being socialised into rules-based patterns of behaviour acceptable to ASEAN. For Goh also, the ARF has become an "omni-enmeshment forum" promoting normative constraints on all regional competitors in the interest of regional stability. [470] It specifically emphasised inclusivity of all regional powers and informality, which implied procedural equality in the face of material asymmetry,

---

[466] Acharya (2015).
[467] Ba (2009): 244.
[468] Bellamy (2004): 181.
[469] Katsumata (2006); (2009).
[470] Goh (2014): 42ff.

reminiscent of the ASEAN way. This prevented "agenda-hogging" by Western states and promoted AMS' counter-*realpolitik* agenda, precluding domination by any one great power while keeping them engaged at the same time.[471] ASEAN provides a central focus for dialogue – as convenor and integrator, with ASEAN procedures and the ASEAN way dominating the strategic forums. The competing interests of China, the U.S., and Japan in various ASEAN-led forums have led to an entrenching of ASEAN's unique approach towards regional cooperation.[472]

As a result, Beijing's regional ambitions, including maritime ambitions, have been channelled through institutional enmeshment. Ba has gone as far as arguing that East Asia has become '*ASEAN-ised in content and form.'*[473] China had now been persuaded *'to think differently and less confrontationally about regional security and its relations with the ASEAN states*'[474] and regarded ASEAN now as '*potential partner and even friend*.' [475] ASEAN had now begun to give such great prominence to engagement processes that increasingly it was now U.S. security guarantees that provided the hedge for engagement processes, rather than the other way around as it was in the early 1990s.[476] Shambaugh agrees, the unprecedented step of China signing up to ASEAN initiated agreements binds China to the core elements of ASEAN to an extent that nowadays most states view China as more benign than malign.[477] In those optimistic views, China has been remarkably compliant. Its willingness to address disputes such as in the SCS in multilateral forums under acceptance of ASEAN's competence power, as opposed to addressing those bilaterally where it could play out its material superiority. Chinese implicit willingness to participate in regional institutions and ratify regional security regimes such as the TAC and the DoC showed that while ASEAN's overtures to China were central, China's response is just as important. Engagement, Ba argues, works both ways.[478] This not only reinforces

---

[471] Goh (2014): 52.
[472] Thuzar (2015).
[473] Ba (2009): 245.
[474] Ba (2006): 161.
[475] Ba (2006): 167; Shambaugh (2005).
[476] Ba (2006): 166.
[477] See Shambaugh (2005): 67; (2005b): 75.
[478] Ba (2006): 169f.

ASEAN-led multilateralism, but also gives reasons for great optimism as far as the future of regional security is concerned.[479] Chapter 3 already showed how Timo Kivimaki credited the commonly shared political culture of the ASEAN way with a transnational identity that at first created an ASEAN- and eventually an East Asian peace.[480]

At the same time and in perfect symbiosis with ASEAN's own rationale as outlined above, an auspicious side-effect had been the ostensible increase in ASEAN's internal cohesiveness and unity, enhancing its effectiveness as a result of additional extramural demands on the association, forcing AMS to cooperate closely and coherently. [481] Jones argues that ASEAN had succeeded in maintaining relative security and been put in a position whereby, in order to make the most out of external partnerships, it had to establish internal cohesion. In order to deal with the security contribution of external actors, centrality has forced AMS to move closer together. What is more, maintaining ASEAN's leading security function has not only led to AMS developing and fostering security forums, but also significantly diminished the need for AMS to develop deeper bilateral agreements.[482] In sum, just like the association itself, Asia-constructivists are putting the bar over which ASEAN has to jump, the demand, rather high.

Supply Side – Does ASEAN Measure Up in the SCS?

So what can be expected from ASEAN in the South China Sea? If one employs realist theory the answer is not much. Individually small ASEAN members (AMS) do not have any real choices in the light of the significant power asymmetries in the Asia-Pacific and an a priori assumed condition of anarchy. At the same time, even if united with the ASEAN body, leverage is small since organisations and institutions are epiphenomenal to the realist reality of power balances and self-interested nation states. Hence, security in the SCS depends not on ASEAN, but on balance of power

---

[479] Caballero-Anthony (2005): Chapter 4, 113ff; Ba (2006).
[480] Kivimaki (2014): 23f; 65ff.
[481] Jones (2015); Ba (2010); Caballero-Anthony (2005).
[482] Jones (2015).

dynamics unfolding in the region.[483] Drawing on the above perspectives however, the picture is rather different and Asia-constructivists have argued strongly in favour of ASEAN agency. ASEAN itself has set ambitious goals in precisely this direction.

Benchmarks

In the light of those perspectives we can derive a set of three critical benchmarks against which ASEAN's supply can be measured in order to determine the substance of its alleged centrality: *cohesiveness, convening power,* and *competence power*. If ASEAN supply meets those benchmarks, one can conclude that ASEAN has met the centrality demand in practice. The result would be a positive answer to the case specific research question and the first critical element of ASEAN overall security actorness can be deemed sufficiently high in order to warrant Asia-constructivist optimism and validate ASEAN rhetoric.

The benchmark of *cohesiveness* originates predominantly from ASEAN's own ambitions of regional resilience. The association declared it intends to uphold centrality by projecting ASEAN-led mechanisms into the wider regional security theatre. An effort that ASEAN rightly believes demands intramural unity and cohesion as a necessary precondition. As a concert of Southeast Asian nations ASEAN has claimed to be bonded together in partnership, in a community of caring societies. In this community ASEAN would uphold and even further strengthen its internal unity and cohesion in order to maintain centrality. As a basic requirement ASEAN called on its members to conduct for instance internal consultations on all matters affecting their common interests and to refrain from any policy or activity that may weaken the integrity or stability of any other AMS or the association as a whole. Only from this position of internal cohesiveness ASEAN considers itself capable of exercising centrality. In this light, I suggest that the cohesiveness benchmark is justified and can be measured and tested in terms of ASEAN's ability to remain resilient and autonomous in the face of external pressure as well as the support extended by non-claimants to fellow AMS who do feel Chinese pressure in

[483] Mearsheimer (1995); Leifer (1998).

the SCS. Can ASEAN capitalise on its collective weight vis-à-vis the more powerful China? In other words, can claimants and interested parties count on non-claimants and galvanise ASEAN in support of a common regional approach?

In order to exercise centrality, *convening power* is also a necessary precondition, for only if ASEAN manages to get all the major powers together, meaningful multilateralism can occur. In particular Asia-constructivists have based their socialisation claims on the precondition of relevant powers participating in ASEAN-led forums of interaction. After all, what good are extramural institutions and dialogue forums if only AMS participate? Congruent KPIs to measure this benchmark is ASEAN's record in setting up institutions and regimes and set the agenda. At least as critical is the willingness of great powers to acknowledge the legitimacy of such ASEAN-initiated, -based, and -led avenues of engagement and to actively participate. Do the relevant actors invest political capital into ASEAN? If ASEAN performs well in this respect, it can be seen as having a satisfactory degree of convening power.

Lastly, the most divisive of the three benchmarks, *competence power* derives from Asia-constructivist assertions that see ASEAN as the East Asian norm-entrepreneur and China as the -recipient. Asia-constructivists have argued that in spite of significant power asymmetries, ASEAN wields a certain degree of power in a constructivist sense. If ASEAN, on the basis of intramural cohesiveness, via the vehicle of its convening power, manages to impact the regional environment in its own favour by educating and socialising China into its own norms and principles, ASEAN does indeed possess a large degree of non-material power. If China were to buy into ASEAN's preferred rules-based order and complies with corresponding rules and restrictions, principles, and processes instead of pursuing its own strategic interests regardless of the their Southeast Asian neighbours' preferences, then ASEAN competence power performance is indeed remarkable. China would be accepting and gradually internalising ASEAN norms and ASEAN agency would be able to pro-actively shape the regional security environment, contributing decisively to ASEAN actorness.

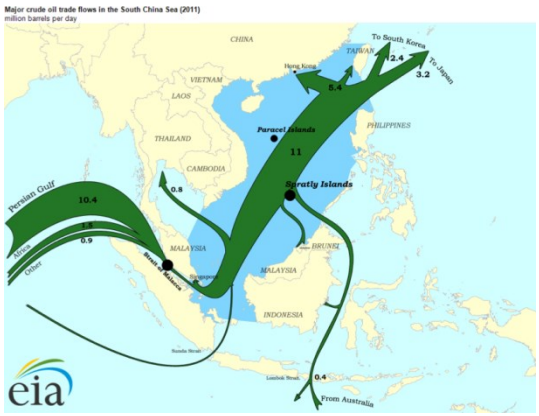
Centrality Benchmarks	*cohesiveness*	*convening power*	*competence power*
	ASEAN's ability to remain a cohesive, united, and coherent organisation.	ASEAN's ability to assemble and host all relevant regional actors.	ASEAN's ability to shape regional environment in ways beneficial to itself by projecting its own norms into the wider Asia-Pacific; to socialise, educate and re-educate relevant actors in the context of an established regional rules-based order based on ASEAN norms.
Corresponding KPIs	Ability to remain resilient and autonomous, capable of withstanding outside interference amidst great power rivalry; ability to act as a unit and to capitalise on collective weight; preparedness of non-claimants to support claimants for greater ASEAN good.	Initiate security forums and regimes; set the agenda; invite participation of great powers; investment of great powers into ASEAN.	Chinese internalisation of ASEAN spawned norms and acceptance of thus defined rules; acting in, rather than reacting to regional events.

The benchmarks and corresponding KPIs can be applied to the perhaps most critical and most serious traditional security threat ASEAN and a number if its members have faced in decades, namely Chinese assertiveness in the SCS. At the 2015 Shangri-La Dialogue Malaysia's Minister for Defence Hussein has after all claimed himself that the SCS conflict could '*escalate into one of the deadliest conflict of our time*'.[484] Asia-constructivist and ASEAN's own perspective suggest that ASEAN ought to score reasonably well in all three benchmarks and if it indeed does, it can be concluded that ASEAN posses significant security actorness in East Asia, allowing us to positively answer the case specific, and mark a first milestone regarding the overall research question. In the following, this case study will assess ASEAN success or failure in achieving those benchmarks, measured by applying specified KPIs to ASEAN's action in the SCS dispute against the backdrop of intense and increasing Chinese assertiveness and illegal and rather bellicose behaviour. We will find out whether China has embraced ASEAN as the centre of regional security architecture and the extent to which ASEAN is a cohesive unit in the face of an adverse and dangerous security situation. ASEAN performance in the SCS is indicative of its ability to be in

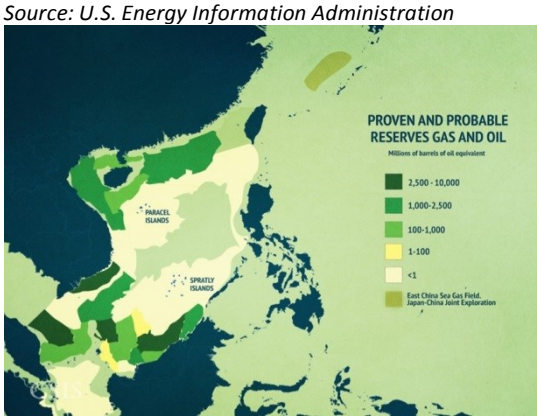
[484] *Channel News Asia* (30 May 2015): South China Sea could be 'deadliest conflict of our time': Malaysia defence chief.

the driver's seat of East Asian security and by extension of its overall security actorness.

Background - The South China Sea



Source: U.S. Energy Information Administration

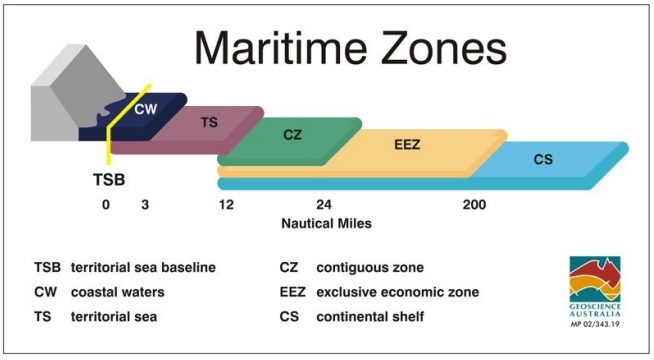


Source: CSIS – Asia Maritime Transparency Initiative

Remembering the heterogeneity of the AMS in political and economic terms, adding to this the powerful and ambitious nation that is China and then throwing a history characterised by conflict and territorial uncertainty into the mix, one gets a potentially messy arrangement. The geographical meeting point of this arrangement is the South China Sea. The importance of the SCS can barely be overestimated for three reasons; resources, trade, and geopolitical posturing. Firstly, the U.S. believes the SCS holds about 15.6bn barrels of petroleum, while Chinese estimates are as high as 213bn barrels, in addition to high volumes of natural gas.[485] It is also one of the most biologically diverse marine areas and home to some of the world's richest fishing grounds contributing a minimum of 12% of the global catch.[486] China is the world's largest exporter of marine products (15.1%).[487] But local fisheries also provide critical local food supply throughout Asia where fish protein accounts for as much as 22.3% of the overall

[485] Rogers (2012): 87.
[486] Sumalia/Cheung (2015): 3.
[487] Food and Agriculture Organization of the United Nations (2014): The State of World Fisheries and Aquaculture 2014, available: www.fao.org, accessed: 24/12/2015.

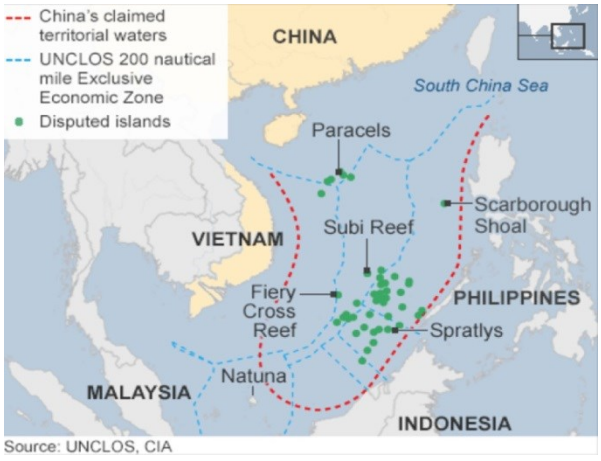
protein intake.[488] Secondly, some 30% of all global trade passes through the vicinity of the SCS, including US$1.2tri worth of U.S. trade.[489] Since it connects the Western Pacific to the Indian Ocean and further towards the Middle East, most of the East Asian global goods and resource trade passes through the SCS, most of it via the Strait of Malacca. In the opposite direction, almost all East Asia-bound crude oil transports cross these waters, almost five times more than through the Suez Canal, with China being the world's largest net oil importer. Currently 80% of all Chinese imports pass the Strait of Malacca, which is controlled and patrolled by mostly U.S. and Singaporean forces. This has come to be known as China's "Malacca Dilemma",[490] meaning that currently China has only limited control over its most crucial Sea Lines of Communication (SLOC). Certainly one of China's greatest strategic weaknesses. With this in mind, imagining the wider geostrategic and political consequences is not a tough ask. Maritime domain control in the SCS is of utmost importance to all relevant states including the U.S. and strategic positioning has become a principle task of all navies involved. What is more, to a greater or lesser extent all claimant states are guilty of playing domestic politics with their respective claims and tough approaches occasionally serve to please domestic audiences. Hence, claimant or not, most Asian states and the U.S. have significant interests in the SCS, including territorial and Exclusive Economic Zone (EEZ) control, safeguarding SLOC, and general freedom of navigation (FON). Only with this in mind, one is able to appreciate the significance of the contest unfolding in the SCS among a multitude of claimant states, in particular around the Spratly, Paracel, and Natuna Islands as well as Scarborough Shoal.



The situation is further complicated by Southeast Asia's uniquely dense maritime

[488] Rogers (2012): 89.
[489] DeLuce/McLeary (2015).
[490] Davis (2014).

geography, resulting in the entire SCS being a claimed maritime zone of some kind. The UN umbrella agreement regulating the maritime domain, the United Nations Convention on the Law of the Sea (UNCLOS) divides seas into two basic categories endowed with respective jurisdiction and rights; territorial seas stretch 12 nautical miles (nm) off a state's coastline and constitute sovereign territory, while the high seas are essentially the global commons and thus, theoretically open to unrestricted navigation for all. UNCLOS also provides for EEZs extending 200nm from a state's coastline into the high seas, more if coastal states can claim a continental shelf extension within which the respective state possesses sovereign rights to all natural resources. All claims must be derived from sovereign land-territory or archipelagic baselines, although a median line may apply should legal zones overlap. UNCLOS effectively leaves it to international courts and arbitration tribunals, such as the International Court of Justice (ICJ), to interpret maritime law if no bilateral agreement can be reached.[491] All parties to UNCLOS, including China and AMS, have committed themselves to abide by such rules. One of the main problems with UNCLOS as far as the SCS is concerned is the regime's ambiguity as to what exactly counts as an island. To be considered capable of generating maritime zones, the land must be above water at high-tide and capable of sustaining human or economic life. Artificially created islands do not count.[492]



All littoral states claim an EEZ, but all officially disputing parties have directly competing, partially overlapping claims in the SCS. While Vietnam and China have solved their disputes in the Gulf of Tonkin, both claim all of the Paracel Islands. The Philippines, Vietnam, and Malaysia have

[491] United Nations Convention on the Law of the Sea (1982): Art 15, 287, available: www.un.org, accessed 01/06/2015.
[492] UNCLOS (1982): Art 121.

overlapping claims to either some or all of the Spratly Islands. The most low-key claimant and the only one to not have established military outposts is Brunei. Although no official claimants, countries such as Indonesia or Singapore shall be considered interested parties. Indonesia is an archipelagic state and values a rules-based maritime order while the Singaporean economy depends on the uninterrupted flow of goods transported via the Strait of Malacca and regards stability here as a top security priority.[493] Jakarta has also had EEZ problems with China around the Natunas of late.

But most important to this case study is China's infamous nine-dash line (9DL). This imprecise ambiguous demarcation line expresses Beijing's claim on the outer limits of its maritime territory, enclosing almost 90% of the entire SCS. Although party to UNCLOS, Beijing implicitly rejects, or at least violates UNCLOS principles by insisting on the 9DL, extending far beyond any reasonable maritime zone and cutting deep into the EEZ of other littoral states.[494] With some exceptions in the Paracels, under Beijing's control since 1974, China's legal EEZ gives it not much but deep blue water. Beijing has for instance no UNCLOS based right to the very distant Spratlys (*Nansha*) but claims some unspecified "historic rights".[495] In a note verbale to the UN in 2009, Beijing argued that '*China has indisputable sovereignty over the islands in the South China Sea and the adjacent waters, and enjoys sovereign rights and jurisdiction over the relevant waters.'*[496] Similarly, Xi Jinping stated that

> *the South China Sea islands have been Chinese territory since ancient times. It is the bounded duty of the Chinese government to uphold China's territorial sovereignty and legitimate maritime rights and interests.*[497]

---

[493] Ho, J. (2012): 129f.

[494] Jayakumar/Koh/Beckman (eds.) (2014): In particular chapters 2, 5, 8 for a detailed discussion on the validity of UNCLOS in the SCS.

[495] Ministry of Foreign Affairs of the PRC (21 March, 2016): Foreign Ministry Spokesperson Hua Chunying's Regular Press Conference.

[496] Note Verbale, 7 May 2009, available: www.un.org, accessed: 15/05/2015.

[497] *New York Times* (Dec 10, 2015): China's dangerous ambiguity in the South China Sea.

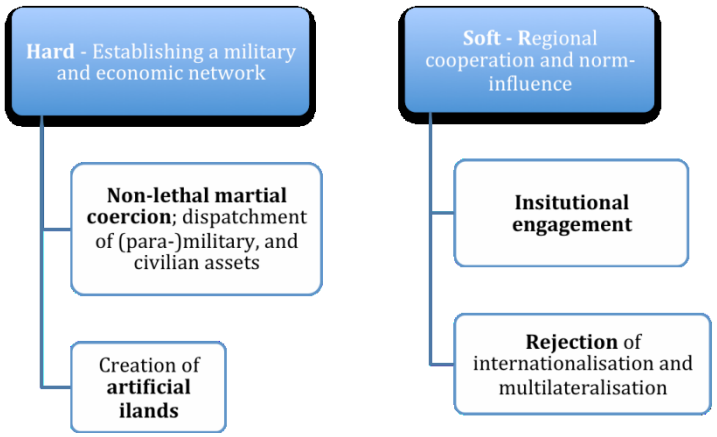
Claimant	Selected important SCS claims	Problem with China	Occupation
Brunei (insignificant claimant)	Claims UNCLOS based EEZ; overlaps with Malaysia's EEZ; also, 2 Spratly Island features within EEZ (Louisa Reef, Rifleman Bank, both low-tide elevations, not generating further extensions).	Potential dispute; 9DL cuts into Brunei's EEZ.	None occupied; no military presence.
China (crucial claimant)	Largest claimant (80% - 90% of entire SCS); keeps claim basis ambiguous; claims undefined "historic rights" to all islands in Paracel and Spratlys and surrounding grounds; Natuna Islands only surroundings, not islands themselves.	---	Significant military presence; occupies several islands in Spratlys (incl. 7 artificial) and all Paracel Islands, incl. artificial islands.
Indonesia (unofficial claimant)	UNCLOS EEZ and continental shelf extensions off coastline and Natuna Islands; owns Natuna Islands (undisputed).	9DL overlaps with Natuna generated EEZ; important fisheries effected; significant ongoing conflict.	Significant military presence on Natunas and in surrounding waters.
Malaysia (claimant)	EEZ and continental shelf extension; at least 3 islands in the Spratlys.	9DL extends into EEZ; important fisheries; dispute over some Spratly islands.	Military and coast guard presence on several islands and features; 5 outposts in the Spratlys.
Philippines (claimant)	Significant parts of SCS, EEZ and continental shelf generated by archipelagic baseline; 8 islands in the Spratlys, Scarborough Shoal.	Most significant conflict in 2012; ongoing.	Military presence on 8 outposts in Spratlys.
Vietnam (claimant)	Significant parts of the SCS; EEZ and continental shelf extensions.	Overlapping EEZs; competing claims to entire Paracels and some Spratly features; significant ongoing conflicts.	Occupies 48 outposts in Spratlys with military presence on some.

China - Creating Facts in the South China Sea

China, as a rising regional power, has plausible and to some extent justifiable security interests in the South China Sea. In the light of geographical and economic facts, having a strong presence in the SCS is a strategic necessity for Beijing. Add to this rich fisheries, dependence on economic growth, Middle Kingdom ambitions, and the popular nationalist demand[498] and one can imagine that Beijing is unlikely to be accommodating. At the same time, China is party to UNCLOS and if adhered to, international law would be sufficient to ensure legitimate access to both resources and SLOC to all littoral states. Yet, over recent years China has become increasingly assertive over what it claims to be its very own rights within the legally

[498] Scobell/Harold (2013) for very good insight into domestic drivers of China's increasingly aggressive foreign- and security policy in Asia.

unsubstantiated 9DL. Whilst the Deng Xiaoping policy was to "keep a low profile" and subsequent leadership generations had exercised some restraint true to the narrative of "China's peaceful rise", foreign policy assertiveness has increased significantly under of Xi Jinping. With a strong sense of nationalism, Xi advocated his very own narrative of the "Chinese Dream" (*Zhongguo meng*), or the "the great rejuvenation of the Chinese nation" after a century of humiliation in order to restore what he regards as China's rightful place in Asia.[499] The SCS is the maritime realm of this "rightful place", since 2010 considered one of China's non-negotiable "core interests",[500] putting the SCS on an equal footing with interests such as the "one-China policy" and Tibet, to be militarily defended if necessary.[501] In rather peculiar fashion China demonstrated that it has no intention to back-track on its SCS position by including the 9DL on maps printed inside new Chinese passports; valid for 10 years.[502] Similarly, Peoples' Liberation Army Navy (PLA-N) commander Wu Shengli said *'[H]ow would you feel if I cut off your arms and legs? That's how China feels about the South China Sea.'*[503] By now, Chinese elites have managed to generate near popular domestic consensus within China that they posses sovereign rights in the SCS and any disagreement with this is an offensive act carried out by a hostile foreign coalition ganging up against China.[504]



In this light, China has become increasingly assertive in the region over recent years. Research for this case study suggests that China's strategy in the SCS consists of four

[499] Brown (2016); Johnson (2016); Blackwill/Campbell (2016); Wacker (2015); Jakobson (2016) for good introductions to contemporary Chinese politics, in particular foreign- and security policy.
[500] Yoshihara/Holmes (2011).
[501] Xi Jinping's speech to PLA representatives, as quoted in Zhang (2015): 9.
[502] *Financial Times* (21 Nov, 2012): China stamps passports with sea claims.
[503] Till (2013): 323.
[504] Wang (2015): 520.

fundamental components, two of which are diplomatic (one positive-cooperative; one negative-obstructive), and two are material (one militarily-assertive; one strategic-physical). On the one hand, Beijing claims to be a benign facilitator of Asian-led regional growth for mutual benefit with minimum non-Asian involvement. [505] Engagement is also a way to balance the significantly tougher, material measures Beijing employs analogously in order to realise ambitions. It creates facts on the ground by hard power means of land reclamation and high-level hybrid aggression through military, paramilitary, and civilian forces. [506] China employs a "carrot-and-stick" tactic vis-à-vis its neighbours while simultaneously ensuring that no outsider gains too much leverage. Effectively, China is creating faits accomplis while staying just shy of escalation, "salami-slicing" in other words, or as Lin has called it "strategy of struggle without breaking".[507]

First, Beijing attempts to engage the region in economic, diplomatic, and military terms. The centrepiece of this engagement is the One Belt, One Road (OBOR) initiative; a combination of diplomatic and economic regionalism centred on China, connecting the Asian continent. OBOR includes projects such as the Asian Infrastructure Investment Bank (AIIB) and the Maritime Silk Road (MSR), but also numerous land based infrastructure projects especially in Southeast Asia.[508] OBOR intends to provide China with the level of regional influence Beijing believes it is entitled to in a Community of Common Destiny (*mingy un gong tong ti*), an Asia built and led by Asians.[509] Simultaneously, Chinese officials reject any internationalisation and multilateralisation of SCS disputes with another claimant, matters they regard as a strictly bilateral. Any kind of third party interference, either international judicial arbitration or any meaningful ASEAN involvement is unwelcome. Chinese delegations continue to refuse all SCS references in any multilateral channel, including specific security forums in which China participates. According to Chinese

---

[505] For a discussion of Xi Jinping's Asia for Asian concept Jakobson (2016).
[506] Yung/McNulty (2015) for a great analysis of the use of paramilitary forces by all claimant states in the SCS.
[507] Lin (2015).
[508] Johnson (2016) for a great analysis of OBOR in the context of Chinese policy reorientation.
[509] Barmé (2015), or Rigby/Taylor (2015) for Xi's proposition of a pan-Asian Community of Common Destiny.

Foreign Minister Wang Yi, the SCS disputes are *'not an issue between China and the ASEAN, and many ASEAN countries do not wish to see specific forces expanding specific matters.'*[510] At the ASEAN+3 Foreign Minister's Meeting in 2014, Wang Yi for instance proposed his "dual-track approach" to the SCS. According to him, all AMS and China should jointly maintain peace and stability in the region, but all disputes must be addressed through bilateral negotiations between directly concerned countries. [511] However, ever since the Gulf of Tonkin agreement in 2000, [512] no serious bilateral settlements have occurred.

One prominent example is Manila's 2013 initiation of international arbitration proceedings. [513] Following several incidents Manila initiated proceedings against Beijing at the ICJ and the Permanent Court of Arbitration (PCA). China reacted furiously, rejected the submission and refused to participate outright. The Foreign Ministry argued that the PCA had no jurisdiction in what was a strictly regional matter and that Manila had in fact dishonoured the consensus outlined in the DoC to resolve disputes through negotiations between directly concerned sovereign states.[514] By initiating an internationalisation, China accused Manila of

> *running counter to the common wish and joint efforts of China and the ASEAN member States. Its underlying goal is […] to put political pressure on China, so as to deny China's lawful rights in the South China Sea*.[515]

Wang further accused the Philippines of malign intentions arguing that it

> *knew only too well that China would never accept arbitration on this matter, yet it insisted on pursuing the so-called arbitration with no regard to Article 4 of the DOC and its earlier agreement with China to settle dispute through bilateral*

---

[510] *ABS-CBN News* (1 March 2016): China: Dialogue, negotiation needed to solve S. China Sea disputes.
[511] Embassy of the PRC in the UK (9 Aug, 2014): Wang Yi: Handle the South China Sea issue through the "dual-track" approach.
[512] Nguyen/Hong Thao (2005) for a detailed analysis of the Golf of Tonkin settlement.
[513] UNCLOS Art. 287 and Annex VII allow for international arbitration proceedings in case bilateral negotiations are unsuccessful.
[514] DoC (2002), available: www.asean.org, accessed: 13/04/2015.
[515] Ministry of Foreign Affairs of the PRC (2014): Position Paper of the Government of the PRC on the Matter of Jurisdiction in the South China Sea Arbitration Initiated by the Republic of the Philippines: Paragraphs 1, 2, 56; available: www.fmprc.gov.cn/mfa_eng, accessed 27/12/2015.

> *channels. So why did it do this? There can be only one explanation, that is, it wants to provoke confrontation with China*.[516]

When in 2015 the PCA (ITLOS) announced that it would indeed exercise jurisdiction in this case and initiate due procedure and in July 2016 decided decisively in Manila's favour, Beijing's response was more of the same rejecting any jurisdiction of the tribunal and refusing to participate, not to mention comply.[517]

On the hard, material side, Xi Jinping's China is more willing to use the PLA as well as a set of paramilitary forces mostly coming in the form of the Chinese Coast Guard (CCG),[518] and increasingly (sometimes armed) militia style civilians, in particular fishermen, in order to realise goals in the SCS. Beijing allows, most likely even actively dispatches means of resource exploitation such as fishing fleets or oilrigs into disputed waters and ensures "protection" by either paramilitary CCG forces or even PLA-N warships.[519] This is supposed to signal dominance and control over disputed waters, to block vessels of other claimants and to protect Chinese fishermen from being detained by foreign navies and coast guards when fishing in disputed areas. Beijing is using its fishing and paramilitary fleets for geopolitical purposes, designed to reinforce its sovereignty and resource claims in disputed waters and coerce other claimants into acceptance. It acquires domain control and often follows up with land reclamations and construction of military fortifications. Dupont and Baker call this the "fish, protect, contest, and occupy" strategy.[520]

In 2012, for the first time since the 1995 Mischief Reef (Philippines) incident, China grabbed an uninhabited island, Scarborough Shoal, approximately 120nm west off Luzon, claimed by both the Philippines and China. Following a more than two months confrontation between the prime vessel of the Philippine Navy and several paramilitary CCG ships over the use of local fishing grounds, Manila had to give in and forfeit the shoal to China, which established de facto administrative control

---

[516] Foreign Ministry of the PRC (6 Aug, 2015): Wang Yi on the South China Sea issue at the ASEAN Regional Forum, available: www.fmprc.gov.cn, accessed 27/03/2016.
[517] *The Wall Street Journal* (Oct 30, 2015): U.N.-backed tribunal rules it can arbitrate South China Sea Dispute; *New York Times* (Jul 12, 2016): Tribunal rejects Beijing's claims in South China Sea.
[518] Bitzinger (2015) for China's use of its coast guard as a military proxy.
[519] Dupont/Baker (2014).
[520] Dupont/Baker (2014): 80.

(Sansha). Occupation and control is not limited to land features though. Over the past five years instances have increased where Chinese state-owned companies placed movable oilrigs into disputed waters or invited foreign companies to tender for such rights. In May 2014 for instance, China moved the oilrig Haiyang Shiyou 981 (HY-981) close to the Paracels where China's and Vietnam's Exclusive Economic Zones (EEZ) overlap. The ensuing standoff between Chinese and Vietnamese coast guard and navy vessels marked perhaps the worst Sino-Vietnamese row since the Third Indochina War and triggered anti-China protests and even riots in Vietnam that left several people dead and prompted China to evacuate citizens from Vietnam.[521] Although China removed the rig, on 16 January 2016 Hanoi alleged that HY-981 was being steered back into nearby waters. [522]

Malaysia reported some 100 intrusions by CCG vessels as well as at least two PLA-N exercises around the disputed James Shoal in 2013. Back then Kuala Lumpur (KL) had been largely quiet in line with its overall China policy. In late 2015 though, the tone began to change following a series of events that suggested Beijing was upping the ante vis-à-vis KL. Malay fishermen have reported that the CCG frequently intimidates Malaysian fishing vessels and actively prevents fishing around Luconia Shoals 84nm off the Malay coast and within China's nine-dash line (9DL). Malaysian fishermen claimed that they were chased from the shoals by PLA-N boats and would not dare to return to their usual fishing grounds.[523] The Philippines have reported many similar cases in the Spratlys.[524] Indonesia considers itself not party to any SCS disputes, but has tried to position itself as a mediator. However, when China officially published its 9DL in 2009, the mood in Jakarta also changed. For one, as imprecise as it is, the 9DL definitely overlaps with Indonesia's EEZ generated by the Natuna Islands, administered by Indonesia as part of its Riau Islands Province.[525]

---

[521] *CNN* (15 May, 2014): Protesters torch factories in southern Vietnam as China protests escalate.
[522] Vietnam Ministry of Foreign Affairs (20 Jan, 2016): Remarks by MOFA Spokesperson Le Hai Binh on activities of China's HYSY 981 oil rig outside mouth of Gulf of Tonkin.
[523] *The Borneo Post* (31 Oct, 2015): Chinese Navy bar local fishermen from Luconia Shoals.
[524] First hand reports by Philippine fishermen in the Spratly Islands, *Bloomberg Business* (2 Mar, 2016): China blocks Philippine boats in disputed sea, Major says.
[525] Because of this, Indonesia sent a letter of complaint to the UN, available: www.un.org, accessed: 17/07/2016.

Secondly, as a large archipelagic state and untypically lacking a strong navy, Indonesia depends on the credibility and integrity of a rules-based maritime order. China has publically accepted Indonesian ownership over the islands as such, but has eschewed clarification of its "historic claims" in surrounding waters.[526] Well within Jakarta's EEZ, authorities have identified close to 400 Chinese fishing boats, some heavily guarded,[527] one of which the Indonesian Coast Guard detained in 2016. In a remarkably aggressive mission, an allegedly armed CCG ship forcefully freed the Chinese vessel as it was being towed towards Indonesian shores. In the diplomatic spat that arose, a Chinese Foreign Ministry spokesperson argued that this incident occurred within '*traditional Chinese fishing grounds.*'[528]

Lastly, China is engaging in significant land reclamation and militarisation projects in the SCS as well as establishing administrative control on occupied islands. Often, construction efforts turn initially uninhabitable features into actual islands that either can or already do host military facilities.[529] Although China is not the only claimant to have unilaterally occupied disputed features, the extent dwarfs all others in comparison and increasingly alarms non-Chinese stakeholders. For example, in less than two years China has built outposts on top of seven reefs in the Spratlys, covering more than 12km^2 of new land, 8 km^2 in the first half of 2015 alone.[530] Satellite images evidence at least three airstrips on these outposts, including a 3km long runway on Fiery Cross reef, which China successfully tested in December 2015 prompting severe protest by other claimants. Additionally, there are aircraft aprons, helicopter pads, deep ports to accommodate large warships, and satellite

---

[526] Ministry of Foreign Affairs of PR China (12 Nov, 2015): Foreign Ministry Spokesperson Hong Lei's Regular Press Conference on November 12, 2015, available: www.fmprc.gov.cn, accessed 5/02/2016.
[527] *The Jakarta Post* (21 March, 2016): RI confronts China on fishing.
[528] Ministry of Foreign Affairs of the PRC (21 March, 2016): Foreign Ministry Spokesperson Hua Chunying's Regular Press Conference, available: www.fmprc.gov.cn, accessed 01/04/2016.
[529] U.S. Director of National Intelligence James Clapper answered a query by Sen. John McCain and confirmed that China had indeed constructed facilities in the Spratlys in order to support the deployment of high-end offensive military capabilities, including modern fighter aircraft, PLAN vessels, and surface-to-air missiles. The unclassified version of this correspondence can be accessed at *US Naval Institute News* (8 Mar, 2016): DNI Clapper assessment of Chinese militarisation, reclamation in South China Sea.
[530] DeLuce/McLeary (2015).

facilities.[531] In January 2016, it was reported that two more runways had been completed in record time on Subi and Mischief Reef to link-up with the infrastructure already in place.[532] In the wake of the U.S-ASEAN Summit in January 2016, the deployment of an advanced Chinese ground-to-air missile system on Woody Island in the Paracels was reported, followed by the deployment of at least 16 Shenyang J-11 4th generation fighter jets. Since 2012, when Beijing established control over Scarborough Shoal, administrative quasi-governmental structures have been set up and despite agreements to the contrary, the PLA-N maintains a military presence. Construction of significant further military facilities are likely and observers have warned that China intends to establish an Air Defence Identification Zone (ADIZ) in the SCS.[533] In sum, by basing significant military assets on Hainan and subsequently expanding further southwards into the SCS, Beijing gains an island chain from where it can more effectively enforce its authority within the 9DL. China has already established point defence capabilities on its outposts and has created the necessary military infrastructure for future area-denial capabilities. Chinese Ambassador to the Philippines Zhao Jianhua insinuated that Beijing may limit FON should it encroach with its sovereign interests.[534] As Head of U.S. Pacific Command Admiral Harris put it, '*China is clearly militarizing [the SCS]. You'd have to believe in a flat earth to believe otherwise.'*[535] Professor Shen Hongfang went as far as suggesting that some influential PLA figures believed that it was the right time to '*teach some countries a lesson*' and that it may be legitimate to go to war over this issue against "the invaders".[536]

---

[531] *IHS Jane's Defence Weekly* (Sep 24, 2015): China completes runway on Fiery Cross Reef.
[532] *Financial Times* (15 Jan, 2015): China steps up building in disputed water despite US resistance; for a good overview over Chinese developments in the SCS including satellite pictures and video material *New York Times* (29 Feb, 2016): What China has been building in the South China Sea.
[533] U.S. Chief of Naval Operations, Admiral John Richardson, quoted in *Reuters* (19 Mar, 2016): U.S. sees new Chinese activity around South China Sea shoal.
[534] *The Associated Press* (Aug 12, 2015): Chinese Diplomat Outlines Limits to Freedom of Navigation.
[535] *TIME* (4 Mar, 2016): China accuses the U.S. of militarizing the South China Sea.
[536] Hongfang (2011): 9.

ASEAN's Role in the SCS

The SCS can reasonably be called the most significant traditional security threat ASEAN has faced in decades. In spite of stark power asymmetries, AMS as a collective as well as individually still try to be masters of their own fate.

ASEAN's Legal Measures

In terms of ASEAN's desire to create a rules-based order based on its own norms, it is useful to begin with the laudable efforts to codify specific rules of behaviour in the SCS. The need for regional conflict resolution measures was realised early on when ASEAN adopted the ASEAN Declaration on the South China Sea in 1992. In line with the ASEAN way, it was an informal code geared towards conflict management and avoidance.[537] Asia-constructivists have pointed to the undisputable fact that in 2003, China signed up to the ASEAN initiated Treaty of Amity and Cooperation (TAC), becoming the first non-Southeast Asian country to do so. This would be the first point of call for a legal settlement. All parties have committed themselves to the '*renunciation of the threat or use of force*', '*respect for the independence, sovereignty, equality, territorial integrity*' of states, and the '*settlement of differences or disputes by peaceful means*'.[538] Accordingly, in the SCS all claimants would have to honour their primary obligation to maintain peace. If adhered to, the TAC could deescalate the SCS into an ordinary legal dispute over sovereignty. While the regime does not encompass a permanent tribunal to settle territorial disputes, failing bilateral "friendly negotiations" legal procedure continues with the High Council.[539] Articles 14 – 17 prescribe the rather elaborate mechanisms to '*settle disputes through regional processes*' whenever situations arise that were '*likely to disturb regional peace and harmony*.'[540]

More specific than the TAC, Chinese ratification of the Declaration on the Conduct of Parties in the South China Sea (DoC) in 2002 including promises to work towards a

---

[537] Emmers (2009).
[538] TAC (1976): Art 2.
[539] TAC (1976): Art 13, 14; Chapter 2 for further information on the TAC and the High Council.
[540] TAC (1976): Art 14.

binding Code of Conduct in the South China Sea (CoC) raised hopes that disputes were manageable despite China's continuous rise. Based on more general TAC principles, the DoC commits signatories to a more specific rules-based order in the SCS, such as respect of freedom of navigation (FON) and to exercise self-restraint so as not to complicate or escalate disputes. Crucially, signatories also agreed not to inhabit non-occupied features and to work toward a binding CoC.[541] With the DoC process ASEAN clearly delivered some early institutional progress. Following ratification, in 2004/05 ASEAN and China established the ASEAN-China Joint Working Group (JWG) to Implement the DoC. This was certainly a step into the right direction and the JWG was tasked to increase cooperation and to draw up guidelines to implement the DoC.[542] At the first JWG meeting in 2005 in Manila, ASEAN was proactive and officials tabled a draft for the Guidelines to Implement the DOC.[543] However, the Chinese delegation was unhappy, with reference point 2 *'ASEAN will continue its current practice of consulting among themselves before meeting with China'* becoming a serious sticking point.[544] Since the ASEAN Charter requires AMS to coordinate and develop common positions and pursue joint actions on the basis of unity and solidarity in the conduct of external relations,[545] this clause was only due ASEAN procedure; a legal requirement. Yet, reflective of Beijing's strategy of privileging bi- over multilateralism, China barricaded and the entire JWG project had to be put on hold for more than five years, although ASEAN officials allegedly rephrased the clause 21 times. China knew it could not prevent AMS from conferring but wanted to prevent concerted ASEAN action and profanely but successfully impeded progress.[546] In 2011, the guidelines were eventually adopted, following some American pressure and only once reference point 2 was amended to now read

---

[541] DoC (2002): Art 4, 5, 10.

[542] ASEAN (2012): Terms of Reference of the ASEAN-China Joint Working Group on Implementation of the Declaration on the Conduct of Parties in the South China Sea, available: www.asean.org., accessed: 14/02/2016.

[543] Hereafter referred to as "guidelines".

[544] Quoted in Thayer (2011): 91.

[545] ASEAN Charter (2008): Art. 41.

[546] Storey (2012c); Thayer (2011b): 92.

'[t]he Parties to the DOC will continue to promote dialogue and consultations in accordance with the spirit of the DOC.'[547]

At the same time, ironically, the adoption of the guidelines backfired. When the Philippines submitted their dispute with China for international arbitration in 2013, Beijing – correctly – argued that Manila's internationalisation was in violation of reference point 2. Legal settlement of disputes should only be initiated if other avenues of friendly negotiations have been to no avail. The question is at what point one can conclude that friendly negotiations have not delivered results? Moreover, both the DoC and the guidelines are tentative and nothing is binding or sanctions non-compliance. As the Philippine Foreign Secretary remarked, '*[w]e're looking for the participants to be honourable. Beyond that there's not much room for us to exact consequences for misbehaviour.*'[548]

Multilateral Forums

The establishment of the ASEAN Regional Forum (ARF) in 1994 was an ASEAN effort to control a stable regional security architecture under native regional leadership to minimise outside interference while keeping all regional powers engaged. Most of all to support establishment of the rules-based system required for ASEAN to be central in the light of deficient material might.[549] China joined immediately and became a regular participant in a number of additional subsequent security forums where the SCS could be addressed (e.g. EAS, ASEAN+3, ADMM+). This was perceived to encourage China to become a responsible stakeholder with a good sense of international citizenship, to be constrained through participation based on norms and principles.[550] It seemed as if China was indeed turning towards norm acceptance in an ASEAN-led security environment.[551] However, as many critics rightly argued, regional cooperative security mechanisms in Southeast Asia tend to prefer soft-security issues and eschew discussion of territorial disputes. Based on the ASEAN

---

[547] Guidelines for the Implementation of the DOC (2011), available: www.asean.org, accessed 01/02/2016.
[548] As quoted in Thayer (2011b): 92.
[549] See chapter 2 for more detail on the ARF.
[550] Emmers (2003): 117.
[551] Acharya (2014): 257.

way, conflicts are at best multilaterally managed, not solved, since individual parties are able to keep certain contentious issues off the official agenda. For that reason, as Juergen Haacke has shown, even less sensitive security cooperation, such as combating piracy where all participants have a more or less common interest, takes place on bi- or trilateral agreements among ARF members outside the ARF avenue.[552] Each participant is able to more or less effectively block any multilateral discussions within ARF, ASEAN+3, or ADMM+ channels, as was the case with Beijing and the guidelines. Institutional effectiveness is therefore limited and as Ian Storey argues increasingly being held hostage to great power rivalry. This could lead to a situation where ASEAN meetings become so ineffective as to have outlived their usefulness and may become entirely irrelevant in SCS matters. [553] This was exemplified at the November 2015 ADMM+ meeting in Malaysia where Defence Ministers could not agree on the usual end of summit joint statement. Allegedly, China would not allow any mentioning of the SCS, while the U.S. would not agree to a declaration without even mentioning the greatest security issue. [554] China's Defence Minister Wanquan stated that "regional outsiders" had attempted to include matters that should not be subject of the meeting.[555]

A notable exception was the 2010 ARF summit in Hanoi. Then Secretary of State Hillary Clinton articulated a strong U.S. interest in the SCS disputes and thus, controversially raised a sensitive topic of hard security openly in a multilateral setting.[556] As per usual Chinese negotiators had in preparatory meetings ensured that the SCS disputes were not to be raised, but did not count on Hillary Clinton breaking the unscripted rules of Asia's "quiet diplomacy". Once it became clear that the Americans would not step back, AMS also took courage and agreed that the topic ought to be raised.[557] At the inaugural ADMM+ meeting in the same year,

---

[552] Haacke (2009): 434ff.
[553] Personal discussion on Jan 14, 2016 in Singapore.
[554] *The Strait Times* (4 Nov, 2015): Signing if declaration at defence forum cancelled over South China Sea.
[555] *China Daily* (Nov 5, 2015): Freedom of navigation a 'nonissue' and 'no excuse for provocations.'
[556] Clinton's speech available: Press Availability, Hillary Rodham Clinton, Secretary of State, Hanoi, Vietnam, July 23, 2010, www.state.gov, accessed 15/02/2016.
[557] *Forbes* (28 Jul, 2010): Hillary Clinton changes America's China policy.

Clinton's colleague Secretary of Defence Gates performed a similar task and also mentioned the SCS although it had not appeared on the official agenda. China was diplomatically outmanoeuvred and isolated in rare instances of collective pressure in an ASEAN-led forum, backed up by the U.S. Unfortunately for ASEAN, 2010 remained an exception.

Lastly, as chapter 2 has argued, track-1.5 and -2 networks play an important role in Southeast Asia, often filling the void track-1 leaves in sensitive policy fields. Accordingly, informal diplomacy has become a vital part of SCS security multilateralism, taking the form of initiatives such as the workshop on Managing Potential Conflicts in the South China Sea organised and initiated by Indonesia (and curiously Canada). Article 16 of the TAC provides for the possibility of regional non-disputants to offer *'all possible assistance'* to settle disputes to which all parties to the dispute should be '*well disposed towards'*.[558] In particular Indonesia has tried to be proactive in this regard and initiated several workshops beginning in 1990 at the Indonesian Foreign Ministry. Although disputes are unlikely to be solved, those conventions do provide a forum for discussion in informal settings and gauge possibilities of functional cooperation from which CBMs, such as the International Workshop on the SCS or the science workshop ASEAN-China Cooperation Fund, have resulted.[559] As Hasjim Djalal, former Indonesian ambassador to the UN and leader of the workshops points out, those avenues do not intend to solve territorial disputes, but aim to create cooperative programs in which all participants can take part. They hope to promote dialogue among the directly interested parties so as to find common ground auspicious to their larger, underlying problems. A confidence-building process that makes everyone feel comfortable with one another.[560] In other words, CBMs to manage conflict and reduce risks of miscalculation in order to navigate underlying tensions. Unfortunately, after more than two decades of workshops, no noteworthy spill-over effects have materialised, yet.

---

[558] TAC (1976): Art 16.
[559] Weatherbee (2016).
[560] Djalal (2012).

The above is indicative of ASEAN's multilateral dilemma. Existing security forums and regimes including all relevant actors ought to result in the ability to effectively deal with SCS via multilateral channels. Yet, since all ASEAN-spawned initiatives have inherited the ASEAN way, they do allow for maximum flexibility but their inconclusive non-binding outcomes and consensus requirements more often than not cause inefficacy. The question is, what is the value of those meetings if the most serious challenge to regional security is not dealt with, often not even discussed? As Nicholas Khoo brought it neatly to the point: *'[once] the meetings end and the real international politics begins, an alarming and unimpressive record has been recorded on an issue that is critical to [ASEAN] members' security.*'[561] As of yet, those ASEAN-based vehicles of alleged norm projection, a few CBMs notwithstanding, have not yet managed to move beyond dialogue.

Galvanising the Community

Recognising the limitations but also the potential of ASEAN-based, collective legal and institutional agency, individual ASEAN Member States (AMS) have often taken the initiative to hold their fellow AMS to the community promise and establish and utilise precisely this unity and coherence ASEAN as a collective has repeatedly entreated. Yet, the attempt to galvanise all AMS behind the supposedly common maritime security threat can be an up-hill battle. Possibly more than any other ASEAN claimant the Philippines have tested ASEAN's resolve to substantiate its '*concert of Southeast Asian nations […] bonded together in partnership […] in a community of caring societies*.'[562] In 2011 top government representatives embarked on a tour across several AMS in order to get a unified ASEAN voice to collectively increase the pressure on China.[563] Corresponding well with Charter requirements of "enhanced consultations", [564] Foreign Minister del Rosario visited Vietnam and President Aquino himself went to Thailand and Brunei. Disillusioned after years of fruitless DoC talks, Manila proposed an alternative Zone of Peace, Freedom,

---

[561] Khoo (2015): 194.
[562] Kuala Lumpur Declaration on the Establishment of the ASEAN Charter (2005): op. cit.
[563] Thayer (2011b): 81f.
[564] ASEAN Charter (2007) op. cit.

Friendship and Cooperation (ZoPFFC), which would be consistent with UNCLOS and more comprehensive and specific than an eventual CoC.[565] ZoPFFC was in fact significantly more elaborate and diplomatically sound approach to the SCS impasse including practical dispute resolution, but endorsing and proposing ZoPFFC would have required a joint ASEAN10 position in support of the four ASEAN claimants. To Manila's disappointment, when legal experts of each AMS met in September 2011 to consider the proposal, Cambodia and Laos did not attend and no joint position on behalf of ASEAN could be achieved. Implying that Beijing had exerted some influence on the two absentees, Del Rosario voiced his anger in, by ASEAN standards unusually tough words, saying Manila had '*the impression that political and economic considerations had hindered a fruitful and mutually acceptable outcome on the discussions.'* [566] Possibly weary of a similar experience observed ASEAN efforts Vietnam tried the bilateral channel. Then leader of the Communist Party of Vietnam (CPV) Nguyen Phu Trong visited Hu Jintao in 2011 and agreed a six-point agreement on the principles governing the settlement of bilateral maritime issues. Crucially, Aquino had visited Hu earlier in the year and reiterated Manila's heartfelt position that the SCS disputes ought to be a "regional matter" requiring a "regional solution". While Manila criticised Vietnam for undercutting a multilateral ASEAN approach, Hanoi defended its position by arguing that it considered bilateralism to be more promising.[567]

That year, ASEAN's disunity became public knowledge first at the 45th ASEAN Ministerial Meeting (AMM) in July 2012 and again at the Summit in November where the Cambodian Chair spoiled the community party. In particular Vietnam had been proactive and vocal regarding ASEAN's common goals in the SCS and had pushed hard for a decisive, concerted response. Then Cambodian Foreign Minister Hor Namhong however blocked efforts to include a reference to the SCS into the AMM joint communiqué, although those issues had clearly been discussed.[568] Despite great efforts by other delegates, in particular Indonesia and Singapore, to present

---

[565] Li (2014): 12.
[566] *Reuters* (Nov 15, 2011): Manila criticises ASEAN for lack of unity on row with China.
[567] Weatherbee (2012).
[568] Thayer (2012) for a detailed summary of discussions and respective statements at the 45th AMM.

and rewrite numerous drafts, Hor Namhong was resolute in his objection to any reference to the SCS and stubbornly refused to give his consent to the otherwise procedural standard of a joint communiqué. [569] Similarly reflective of China's strategy, at the 2012 Summit, the Cambodian Chair attempted to insert a reference into the communiqué that all ASEAN leaders had agreed not to internationalise the SCS disputes, to which Manila could not possibly agree. President Aquino stated *'[f]or the record, this is not our understanding. The ASEAN route is not the only route for us. As a sovereign state it is our right to defend our national interests'.*[570] As a result, at the AMM no joint communiqué was issued at all – a first in its history – and the reference was dropped at the Summit. Very few – if any – doubts exist that this impasse was a result of successful Chinese pressure on an ASEAN Chair not wanting to antagonise Beijing. Despite public embarrassment Phnom Penh does not seem to have changed course. In January 2016 in preparation for the U.S.-ASEAN meeting at Sunnylands, California, U.S. Secretary of State Kerry paid a visit to some of the potential spoiler countries (Cambodia, Laos) suggesting that the U.S. tried to avoid a similar debacle. Apparently Kerry failed, for Hor Namhong maintained immediately after the meeting that Phnom Penh believed individual countries should settle disputes among themselves without any ASEAN involvement.[571]

In 2016, under Laotian ASEAN Chairmanship, first indications are similarly inauspicious as far as ASEAN unity is concerned. Laos is neither a claimant nor an interested party and Vientiane's political apparatus lacks diplomatic skill and experience. As a landlocked country, small in both material and diplomatic terms, bordering – and economically and politically depending – on China, Laos is perhaps the most vulnerable of all AMS to Chinese strategic pressure and thus, worst placed to be the bedrock of ASEAN coherence vis-à-vis Beijing. Sure enough, in May 2016, Wang Yi reported at a meeting in Vientiane that China does not want the SCS to affect China-ASEAN relations and had to that end reached a four-point consensus with Laos, Cambodia, and Brunei, including the provision that disputes are a bilateral

---

[569] Personal interview with a member of the Singaporean delegation to the 45th AMM, Singapore 2016.
[570] *Reuters* (19 Nov, 2012): Tensions flare over South China Sea at Asian summit.
[571] *The Strait Times* (Jan 26, 2015): Kerry fails to sway Cambodian leaders on South China Sea.

rather than an ASEAN matter and claimants would confer only among themselves.[572] Apparently three AMS, one of which being the incumbent Chair, agreed to China's principle that ASEAN claimants should forfeit their collective weight potential in multilateral ASEAN channels and negotiate directly with Beijing instead. In particular in Manila and Hanoi this will be read as yet another act of disloyalty in the face of Chinese pressure on the "weakest link".

Nonetheless, if the above makes concerted ASEAN action seem an entirely lost cause, there are also some reasons for optimism. 2015 was the year of the Malaysian Chair. KL showed great determination to include SCS statements during the April Summit as well as the AMM in August. Although it could not secure a joint declaration at the ADMM+ in November due to the known divisions over the dispute, the Malaysian Chair managed to produce some of the strongest ASEAN language on the SCS to date. The Chairman's Statement of the 26th ASEAN Summit expressed

> *serious concerns […] on the land reclamation being undertaken in the South China Sea, which has eroded trust and confidence and may undermine peace, security and stability.* [573]

Not only was this the first time that ASEAN leaders had called the action in the SCS "land reclamation" but they also collectively '*instructed our Foreign Ministers to urgently address this matter constructively.*' Although China was not directly mentioned as the principle source of threat, the Foreign Ministers were instructed to address this issue under '*various frameworks such as ASEAN-China relations*'.[574] And sure enough, at the following AMM, Foreign Ministers jointly expressed the same

> *serious concerns […] on the land reclamations in the South China Sea, which have eroded trust and confidence, increased tensions and may undermine peace, security and stability in the South China Sea.* [575]

In the world of consensus seeking, conflict avoiding ASEAN, where unity can be hard to obtain, this was certainly great effort on ASEAN's part and testimony to KL's

---

[572] *Reuters* (24 Apr, 2016): China says Brunei, Cambodia, Laos agree sea dispute must no hurt ties.
[573] Chairman's Statement of the 26th ASEAN Summit, April 27 (2015), available: www.asean.org, accessed: 01/12/2015.
[574] Chairman's Statement of the 26th ASEAN Summit, April 27 (2015).
[575] Joint Communiqué 48th AMM (Aug 4, 2015), available: www.asean.org, accessed: 02/12/2015.

political aptness. Even more so, considering that China is Malaysia's largest trading partner. The Chinese side responded by stating that it '*opposes a few countries' taking hostage the entire ASEAN and China-ASEAN relations*'[576]

AMS Working Outside ASEAN

Catherine Jones has argued that ASEAN Member States (AMS) do not seek to deepen their external alliances, but prefer to engage in ASEAN-based institution building in order to work towards and maintain ASEAN's centrality relevance.[577] Research for this case study suggests otherwise. The Malaysian effort notwithstanding, AMS are increasingly convinced that ASEAN-led initiatives are both unreliable and not delivering. Aside from intra-ASEAN divisions that frustrate any degree of concerted action, the fact is also that ASEAN lacks the material muscle and defence pacts in order to protect its members against external threats. Within their means, individual ASEAN claimants are defending against what they perceive as encroachment into their waters. Frustrated with the lack of diplomatic progress and increasingly feeling the Chinese heat, individual AMS seem to increasingly regard ASEAN as at best adjunct to their security.

In Vietnam China has long been regarded as the greatest foreign policy threat [578] and in 2015 the Vietnamese people apparently view tensions with China as their number one security concern.[579] Unsurprisingly, policy makers cannot be idle and despite possessing a reasonably strong, battle-experienced military force, Hanoi has begun reaching out to the U.S. At no point since the normalisation of U.S.-Vietnam relations in 1995 has rapprochement been as noticeable as today and the motive is Chinese expansion in the SCS. In 2012 then U.S. Defense Secretary Panetta said that Washington wished to work with Vietnam *'on critical maritime issues including a*

---

[576] Ministry of Foreign Affairs of the PRC (2015): Foreign Ministry Spokesperson Hong Lei's Regular Press Conference on April 28, available: www.fmprc.gov.cn, accessed: 25/02/2016.
[577] Jones (2015): 273.
[578] Wurfel (1999): 153.
[579] Pew Research Centre (2015): Climate Change Seen as Top Global Threat, available: www.pewglobal.org, accessed: 25/08/15.

code of conduct focusing on the South China Sea'.[580] Under Panetta's successor Carter, military-to-military cooperation as well as aid in both monetary and hardware supply has significantly increased.[581] Hanoi answered proactively and took measures such as the 2016 inauguration of a new port facility at Cam Ranh Bay in the SCS, capable of hosting aircraft carriers and submarines – unofficially this reads, hosting U.S., Japanese, and Australian aircraft carriers and submarines. Two Japanese Navy destroyers paid a visit immediately in April 2016, following a similar call to Subic Bay in the Philippines. Japanese Defence Minister Nakatani declared the visit would strengthen security ties and guarantee FON in the SCS.[582] At the same time, as Li Jianwei[583] pointed out, somewhat ironically Sino-Vietnamese cooperation is the most extensive and institutionalised bilateral relationship between any ASEAN claimant and China. Following normalisation of relations in 1991, Hanoi and Beijing set up an extensive web of cooperation mechanisms that already facilitated the Gulf of Tonkin settlement. Congruently, high-level Sino-Vietnamese visits have picked up and encompass the SCS.[584] Both also arranged for a hotline in order to quickly manage possible incidents.[585]

The Philippines on the other hand lack such established channels of bilateral communication with China, but Manila's security policy also suggests frustration with ASEAN. What Manila seeks first and foremost is a rules-based regional order, [586] in agreement with ASEAN's collective goals. Yet, it is noteworthy that the current Philippine strategy does not seem to include ASEAN in any significant way. Having been left frustrated with ASEAN in the legal and institutional arena, Manila internationalised their individual legal case by initiating arbitral proceedings based

---

[580] U.S. Department of Defense (2012): DoD News. Panetta's Cam Ranh Bay Visit Symbolizes Growing U.S.-Vietnam Ties, available: www.archive.defense.gov, accessed 24/08/2015.
[581] Hoang/Do (2016) for a discussion on the evolution of U.S.-Vietnam security cooperation; also Tow (2015).
[582] *Japan Times* (13 Apr, 2016): Japan's own pivot to Southeast Asia seen bearing fruit ahead of G-7 summit, China isles arbitration.
[583] Li (2014).
[584] *Xinhuanet* (3 Nov, 2015): China Vietnam join hands to consolidate bilateral realtions; *Reuters* (28 Mar, 2016): Amid sea dispute, China calls for deeper defense ties with Vietnam.
[585] *China Daily* (7 June, 2013): China Vietnam set up naval hotline.
[586] Misalucha/Amador (2016).

on UNCLOS involving both the ICJ and the PCA.[587] Manila argued that China illegally occupied several features within the Philippine EEZ and asked for a correct interpretation of UNCLOS regulations in the SCS. As mentioned above, the PCA ruled decisively in Manila's favour in July 2016, but Beijing rejected ruling and legitimacy of the PCA. It was even argued that Manila had disguised the real issue of territorial control in a legal case about the definition minor attachments to UNCLOS.[588] Be this as it may, Manila is well aware that China is unlikely to adhere to the international ruling and thus simultaneously engages in internal and external balancing by upgrading own capabilities, while frenziedly reinvigorating military alliances with external security providers such as the U.S. and Japan. When the prime flagship of the Philippine Navy lost control over Scarborough Shoal to mere Chinese Coast Guard vessels in 2012, it became painfully obvious that Manila needs to step up its military game. Since Tokyo re-evaluated its security strategy under the Abe administration,[589] Manila benefitted in form of significant hardware, such as ten patrol boats and at least three Beechcraft TC 90 surveillance planes. Manila also received five armed versions of the European Agusta Westlands AW 109 helicopter, [590] three U.S. frigates and are in talks about Lockheed Martin anti-submarine P3-C planes. Washington has also responded in the form of the 2014 Enhanced Defense Cooperation Agreement (EDCA), allowing the U.S. Navy to comprehensively re-accesses Philippine military bases it had originally vacated in the 1990s, and to increase joint military exercises. Washington more than doubled its annual military aid in 2016[591] and gave the Philippines a central role in the American-led Southeast Asia Maritime Security Initiative (MSI) in order to strengthen maritime domain awareness.[592] In order to raise Manila's own capabilities, Benigno

[587] Permanent Court of Arbitration (2015): Case No. 2013-19, available: www.pcacases.com, accessed: 26/12/2015.
[588] Sheng-ti Gau (2014).
[589] Auslin (2016); Satake (2016): 31ff for a discussion of a new Japanese security policy under Abe.
[590] *AgustaWestlands Press Release* (Feb, 2014): Philippine Navy Signs Contract for Two Additional AW109 Power Helicopters.
[591] *Reuters* (8 Apr, 2016): Philippines gets U.S. military aid boost amid South China Sea dispute.
[592] Bueger (2015) for a discussion of Maritime Domain Awareness in Southeast Asia.

Aquino brought a 998bn Peso military procurement plan under way. A remarkable investment relative to GDP.[593]

Although not an official claimant, Indonesia is also subject to increasing Chinese assertiveness within the 9DL. Referring to the 2016 Natuna incident, Indonesia's Vice President Jusuf Kalla stated that he was increasingly worried about Chinese behaviour within the Indonesian EEZ as well as Chinese construction of military facilities on artificial islands in the SCS. Security Chief and close aide to President Joko "Jokowi" Widodo, Luhut Panjaitan, added that Jakarta must realign its defence posture facing threats from SCS dynamics. Correspondingly, Jakarta began to strengthen its EEZ defence capabilities by deploying seven warships to the waters surrounding the Natuna Islands and doubling current troop numbers. Jakarta will also strengthen the local Ranai air and naval base and deploy a new fleet of jet fighters, additional warships, a drone squadron and will purchase additional kilo-class submarines in order to '*answer the question of how we can project our power in the Natuna archipelago.*' [594] This military fortification takes place not only around the Natunas but is part of a greater resolve to protect Indonesian maritime territory and EEZ under the Jokowi administration, who tries to establish Indonesia as the regional maritime fulcrum. [595] Instead of ASEAN's rules-based order, Jokowi outlined his vision for Indonesia's own future foreign policy strategy with heavy emphasis on what has become known as the "Jokowi doctrine".[596] This includes a general increase in military spending and a vast expansion of naval capabilities in order to protect key maritime interests. [597] As Beijing has grown more assertive in the SCS, Jakarta has grown more proactive in asserting what it sees as its right. This may turn out to be a blessing for ASEAN, as then still acting Head of the Indonesian military General Moeldoko suggested Jakarta might again take the military lead in Southeast Asia.[598]

---

[593] *Straight Times* (22 Dec, 2015): Philippine military parades hardware on 80th anniversary.
[594] *The Strait Times* (8 Oct, 2015): Indonesia mulls drones in response to China's maritime flexing; *The Japan Times* (Dec 16, 2015): Indonesia looks to boost defenses around Natuna Islands in South China Sea.
[595] Muhibat (2016): 145ff.
[596] *The Jakarta Post* (14 Nov, 2014): Presenting maritime doctrine.
[597] Gindarsah (2015) offers an interesting account of Indonesian defence diplomacy.
[598] *The Jakarta Post* (23 Dec, 2014): RI a big brother in ASEAN; Moeldoko retired in 2015.

Malaysia is also an interesting example. Unlike Hanoi or Manila, KL has for many years pursued a strategy of rather cautious diplomacy and tended to be patient with and cordial towards Beijing.[599] Chinese encroachment around Malaysian claimed Luconia Shoals however, led to a change in both language, as seen above, and in military policy. In an initial response to the detection of Chinese vessels in 2015, the Royal Malaysian Navy assigned a Laksamana-class guided-missile corvette on a monitoring mission[600] and the defence ministry announced the establishment of a new naval base and troop deployment close by. Deputy Prime Minister Ahmad Zahid Hamidi noted in 2015 that '*a regional superpower has encroached into (Malaysia's) maritime territory by constructing airstrips, jetties and other facilities on three atolls just 155km from Sabah.*' This regional superpower's motives were questionable given that that '*the country in question is 3,218km away'*.[601] In this light, Malaysian Defence Minister Hishammuddin Hussein proclaimed that Beijing's actions were forcing KL to militarily '*pushback against China',* internally and externally. This signals that Malaysia, just like other ASEAN claimants and interested parties, will not accept the Chinese expansion within the 9DL on the basis of "historic rights" [602] and intends to "pushback" unilaterally.

Supply and Demand. ASEAN Central to Regional Security?

The above case study has shown that in the aftermath of the Cold War in Asia, there has been an increasing Chinese interest in regional, chiefly ASEAN-based security multilateralism. At first sight, by joining ASEAN institutions such as the ARF and becoming party to such ASEAN-initiated security regimes as the TAC, China has lend credence to Asia-constructivists who see ASEAN as the fulcrum of regional security and has also substantiated ASEAN's ambition to be in the driver's seat of regional

---

[599] Cheng-Chwee (2016) for an overview of the evolution of Malaysia's hedging policy between China and the U.S.
[600] *IHS Jane's 360* (11 Jun, 2015): Malaysia dispatches missile corvette to monitor China Coast Guard intrusion.
[601] *The Strait Times* (14 Nov, 2015): 'Regional superpower' has encroached into Malaysia's maritime territory: DPM Ahmad Zahid.
[602] *The Star* (5 April 2016): China claims its fishing boats did not enter Malaysian waters.

security. Present and unfolding conflicts in the South China Sea are a litmus test for this substance, for ASEAN's extramural security relevance and ultimately for Asia-constructivists who see ASEAN as overproportionally potent. One ought to remember what Surin Pitsuwan, never too shy to put his finger into the wound, pointed out about centrality in the introductory quote. The former ASEAN Secretary General reminded us that centrality was a phrase coined by ASEAN itself, enshrined in its documents and conveniently subscribed to by ASEAN's dialogue partners. Centrality however, cannot simply be prescribed but must be acquired, earned, and re-earned to be substantive.[603]

In this light this case study has investigated certain aspects of perhaps the most critical traditional security threat the region currently faces. Like all case studies in this thesis, this took place within the demand-supply framework of optimistic perspectives on ASEAN's centrality in extramural security multilateralism from which benchmarks and corresponding KPIs have been devised. Subsequent sampling of factual evidence has been sufficient to evaluate the practical ASEAN supply. Both elements shall now be reconciled. The following is the first of three case specific appraisals of ASEAN security agency as a key component of actorness. Has the association met said benchmarks?

Cohesiveness – Largely Failed

The APSC is built on the presumption that its members share a common security outlook as '*a community of caring Southeast Asian societies bonded together in partnership'*. [604] This builds on one of the key principles of the ASEAN Charter committing its members to act under the guidance of shared commitments and collective responsibility in enhancing regional security. In order to realise unity and ultimately its ability to be central, ASEAN had specified the need for and means of internal institutional cohesion, such as enhanced internal consultations before extramural relevance and ultimately centrality can be realised. The Charter

---

[603] ASEAN Focus (2015) op. cit.

[604] Kuala Lumpur Declaration on the Establishment of the ASEAN Charter (2005) op. cit.; APSC Blueprint (2009): Art I.1.

specifically demanded that AMS must refrain from any policy or activity that threatens sovereignty, territorial integrity or stability of any other member of the ASEAN Political-Security Community.[605] In order to asses performance, some KPIs included ASEAN's ability to remain an autonomous organisation, capable to act as a unit and in concert, as ASEAN itself as well as Asia-constructivists specified. In order to contribute to the common good of ASEAN resilience it must withstand outside interference and act in accordance with its own goals. If ASEAN was able to meet those KPIs despite substantial adversity and pressure, it could reasonably be argued that one necessary precondition for centrality has been met. In the light of the above however, the best conclusion this case study can come to is that this benchmark of *cohesiveness* has been largely missed.

On the one hand, it was found that when individual AMS attempt to take the initiative within ASEAN channels in order to give Southeast Asian multilateral processes some "teeth", they meet disunity. The Philippine attempt to unite and engage ASEAN in order to advance towards a more robust, rules-based legal framework exemplified the resistance pro-active AMS may face. Manila's failure to win backing of fellow AMS for pushing China towards acceptance and implementation of their ostensible common desire of a rules-based order demonstrated to everyone involved that ASEAN cannot be relied on to facilitate regional solutions to regional problems. The 2012 Cambodian debacle also particularly stands out. More publically than Manila's 2011 experience, 2012 exposed the limits of ASEAN's institutional cohesion and demonstrated to its members, the wider region, and indeed to a global audience that ASEAN cannot act as a reliably loyal and united organisation if need be. Singaporean Foreign Minister at the time Shanmugam observed correctly that '*this has dented ASEAN's credibility.*'[606] Some have argued the 2012 Cambodian case was exception rather than the rule and things had changed since. Unlike in 2012, China now faced a more

[605] All in ASEAN Charter (2007) op. cit.

[606] Singapore MFA (2 Aug, 2012): Speech by Minister Shanmugam at the ASEAN Day Reception, available: www.mfa.gov.sg, accessed 10/05/2016.

unified and determined ASEAN.[607] But latest events of 2016 such as the dubious meeting between China's Wang Yi and a number of AMS in Laos suggest otherwise. At the time of writing, with Laos as Chair 2016 already looks like another lost year as far as the SCS is concerned. Indeed, as a Laotian diplomat disclosed to this author, his country's Chairmanship tenure will eschew the SCS as much as possible and focus on "low hanging fruits" such as advancing ASEAN Connectivity.[608] In particular 2012, but also negotiations over the DoC guidelines and other examples showed that ASEAN processes and institutional weaknesses allow for a degree of outside interference in internal matters that enables China to "divide and rule" ASEAN. Beijing's ability to painlessly manipulate due ASEAN processes and hold meetings and processes hostage to its self-interest suggests that the basic pillar of cohesion underpinning centrality in the APSC is feeble. Apparently, plenty of AMS are not ready to risk antagonising China.

At the same time, one should not judge Cambodia or Laos all too harshly. While it is true that "weakest links" easily falter allowing China to undermine ASEAN, who would compensate Cambodia for potential real losses, financially and diplomatically, incurred by antagonising China? Fellow AMS with significantly higher interests in the SCS like Vietnam or the Philippines? Hardly. China has been able to divide and rule ASEAN on the basis of economic and political cleavages and dependence. Individual as opposed to regional positions reflect that AMS among themselves exist and act in a strategic context of competition for the most favourable agreements with the greatest emerging regional power. [609] Whether ASEAN likes it or not, Beijing's influence in the region is strong and will only grow in the context of the One Belt One Road initiative. Many ASEAN leaders look towards Beijing for a share of China's value added to the Asia-Pacific region. In that context, it is rather naïve to believe that spoilsport Cambodia was a one-off. National self-interest coincides with structural and institutional shortcomings within an extremely heterogeneous ASEAN.

---

[607] Thayer (2013).
[608] Interview with Laotian ambassador Yong Chanthalangsy, Singapore, January 2016.
[609] See Dosch (2010): 140.

As a result of this lack of cohesion and efficacy, in the legal realm claimants find themselves bogged down in negotiations over a toothless DoC and implementation guidelines to this day. After more than a decade of fruitless talks, not many in ASEAN – if anyone – believe this will eventually bear satisfactory results. Although talking to China is certainly preferable to not talking, Manila's unilateral submission for international arbitration in 2013 is a clear indication that the government has lost patience with ASEAN. This is reflected in the fact that this submission was made without the much called for prior internal ASEAN consultation and came out of the blue for other ASEAN leaders. [610] After failing to galvanise all of ASEAN, the submission was a Philippine effort to contribute towards a reliable rules-based security order in Asia while having concluded that the main proponent of such order, ASEAN, is neither a sufficient nor necessary organisation to realise this aspiration. In that sense, Manila is trying to unilaterally realise a collective ASEAN goal. Bringing this point home, not even the remaining ASEAN claimants made any effort to join or officially endorse Manila's arbitration case. Similarly disappointed with ASEAN channels, Vietnam is increasingly trying to solve the matter directly with Beijing; a means particularly favourable to the latter. Although the SCS disputes have proven to be more difficult to settle then the Gulf of Tonkin, already established mechanisms of talks facilitate bilateralism and allow Hanoi to conclude that in the light of frustrating ASEAN experiences, exhausting such avenues is merited.[611]

A second result from the absence of internal cohesiveness has been an increasingly "hard" non-ASEAN response by individual littoral states. Virtually all littoral Asian states are stepping up their military game with varying degrees of external and internal balancing measures. Some measures taken by Hanoi, Manila, Jakarta, and KL sought to exemplify this trend. Knowing from experience that an ASEAN rules-based order is at best work in progress, but more likely simple window dressing, there has

---

[610] Singapore for instance stated that it had learned of the legal proceedings from media reports only, Singapore Ministry of Foreign Affairs (23 Jan, 2013): Press Statement and Speeches, MFA Spokesman's comments in response to media queries on the Philippines' initiation of arbitration proceedings against China under Article 287 and Annex VII of the 1982 United Nations Convention on the Law of the Sea (UNCLOS), available: www.mfa.gov.sg, accessed 08/05/2016.
[611] Li (2014): 14ff.

been an increase in both military spending and procurement and a widening of external security guarantees.

And yet, before one was to conclude that ASEAN has not performed at all against the KPIs generated from the demand side in this case study and thus missed the benchmark entirely, one ought to remember the optimistic takeaways. Those came mostly in the form of a strong ASEAN Chair producing some robust language. A determined Malaysian Chair somewhat vindicated post-2012 ASEAN and took ownership of this issue during its reign, in spite of China being KL's largest trading partner. Not only Chairman's Statements but also ASEAN institutions under Malaysian guidance articulated a common stance. In the light of the above, realising unity and policy coherence across several institutions by including the SCS in unanimously agreed upon communiqués and statements are achievements in their own right. This signals that under auspicious circumstances ASEAN can find unity and coherence in the face of adversity. It also alludes to the critical role of the Chair. During the year at the forefront of ASEAN, the respective country must balance its national with regional interests and must wear both the national and the ASEAN "hat", as Tang Siew Mun rightly put it.[612] Albeit no easy ask in such diverse a region, this is key to ASEAN's ability to act as a collective and by extension, key to centrality. The Chairmanship must come with national and regional interest parity in order to prevent undue outside influence. Effectiveness of the Chair is key to effectiveness of ASEAN.

In sum, despite some positive takeaways, this case study showed that AMS more often than not pursue extra-ASEAN measures, mixing internal and external balancing with increased non-ASEAN third-party involvement. In other words, bilateral approaches are not only China's default mode but also increasingly AMS'. Quite unlike China though, this case study suggests that AMS are not motivated by a general preference for bi- over multilateralism. On the contrary, ASEAN avenues are frequently tried, but unfortunately quickly exhausted. Heterogeneity and diverging interests under the limitations inherent to ASEAN processes complicates cohesion

[612] Tang Siew Mun (2016).

and makes dependable ASEAN effectiveness near impossible. Hitherto, China has been fairly successful in driving a wedge between AMS in order to resists a rules-based order. ASEAN does currently not display the degree of cohesions and unity necessary to match Chinese strategy. ASEAN is thus not the sum of its individual parts but significantly less. Since it occasionally manages to find a common voice, though, ASEAN does have some, albeit limited agency.

Convening Power – Met.

While ASEAN has had only very limited success in terms of cohesiveness, this case study allows the conclusion that it does have substantial *convening power* to show for. Hence, there is a case to be made for Asia-constructivist enmeshment arguments. Although not extending beyond getting the great powers involved, ASEAN does engage all players in regular frequent dialogue. Convening power was above defined as ASEAN's ability to assemble and host all relevant regional actors and sett the agenda. Case study specific KPIs were ASEAN's pro-activeness in initiating security related forums, workshops, etc. to which it would invite relevant players, who would then willingly participate and invest political capital into ASEAN processes. This benchmark therefore inquires as to ASEAN credibility as a provider of security multilateralism.

The factual outcome in the South China Sea will largely be determined by great power relations between China on the one and the U.S.-led coalition on the other side. The role of ASEAN, as Asia-constructivists have pointed out, can be to provide platforms for security cooperation, facilitate dialogue and negotiations in which ASEAN and AMS play a role that may indeed be unproproportionatly greater than many realists would accept. Consider for instance the ASEAN Defence Ministers' Meeting-plus (ADMM+). This ASEAN-initiated and -chaired high-level meeting engages all EAS defence ministers and thus, the persons second in command in terms of security of all actors relevant to East Asian security. As a result, ADMM+ has since its inauguration become the most important Asian security forum, having taken over only from another ASEAN-initiated and –led forum, the ASEAN Regional

Forum (ARF).[613] Those forums make meaningful contributions to keeping tensions at bay through dialogue and this alone suggests that convening power is useful in its own right. For instance, the November 2015 ADMM+ meeting under Malaysian leadership coincidently directly followed a very controversial U.S. FON operation in the SCS to which Beijing reacted with great discontent and regional apprehensions increased. Only a week later, Chinese Defence Minister Chang Wanquan attended the ADMM+ in KL and met both his Southeast Asian and crucially, his U.S. counterpart for talks where such things could immediately be discussed. It can certainly be hailed as a success that relevant parties hold high-level talks on military matters at a time of regional military tensions. Also important is the ARF. Although it has been shown that China typically – with 2010 being one of the few exceptions – manages to keep the SCS off the agenda, the ARF is another ASEAN-based high-level (foreign minsters) forum where dialogue takes place. ARF critics of whom there is a long list, are overly pessimistic by declaring it a useless talk-shop, while Asia-constructivists see it as a perfect regional "norm-brewery". [614] The truth is somewhere in between. After more than two decades the ARF has achieved little in terms of its goal to move from confidence building towards conflict-resolution and has hitherto failed to progress beyond the first stage. Unusually self-critical ASEAN has acknowledged this failure.[615] The SCS dispute are not going to be solved within the ARF framework. However critical confidence building measures (CBMs) are agreed and acted upon. One can argue that CBMs are just that, weak instruments of trust building, not mechanisms by which crises can be mitigated. And yet, not least due to ASEAN assembling all relevant actors, CBMs are maintained and constantly expanded, even at times of severe crisis. In this light, it is valuable to note one expert's recent risk assessment of the maritime security situation in Asia. Sam Bateman concluded that in particular CBMs are helping to facilitate strategic trust in the long run by allowing continued cooperation necessary for the management of regional seas. What the region needed was a greater not lesser cooperative mindset.

---

[613] Chapter 2 for more information on the competing purposes of ARF and ADMM+.
[614] Katsumata (2006): 194.
[615] APSC Blueprint (2015): B1.3.iv.

Maritime cooperation was not '*something nice to have*' but '*an obligation and a necessity*.' [616]

It has been argued that the SCS is one of the critical places of 21st century great power politics. In a climate of mutual Sino-U.S. mistrust, as for instance evident at the 2010 ARF, there is no alternative to ASEAN's role as convener, for the major Asia-Pacific players are unable to create and entertain multilateral avenues for necessary discussion within which they could diplomatically engage. Under current circumstance, the reciprocal lack of trust and legitimacy felt by the respective other prevent anyone but ASEAN to assume this role. In addition, the non-committing ASEAN way conveniently allows the major powers to cooperate without great costs. Not least due to this non-commitment, tangible success is very limited indeed. But forums such as ADMM+ and ARF are not obsolete. Their real value has always been explained best by Michael Leifer who saw the ARF as a soft supplement to hard balancing measures.

> *The ARF's limited objective is to improve the climate in which regional relations take place in the hope that bilateral and multilateral problems may be easier to manage.*[617]

As is the case in the great number of workshops Indonesia initiated on ASEAN's behalf, the value added of all ASEAN-led track-1 to 2 security forums is indirect. Rational institutionalists have argued that such forums are an institutionalisation of mutual reassurance whereby regional stability and cooperation requires efficient information transmission among stakeholders.[618] Asia-constructivists do have a point and ASEAN may well be the only honest broker capable of facilitating this transmission.

The question left of course is whether or not the relevant actors participate. Hence, a further critical KPI for ASEAN's convening power was determined as the political investment great powers are willing to make into ASEAN. It could be demonstrated that both Beijing and Washington frequently participate in ASEAN-initiated

---

[616] Bateman (2015): 75.
[617] Leifer (2005c): 161.
[618] Kawasaki (2006).

multilateralism. Tangible results aside, participation in ASEAN institutions and regimes is in itself an investment into ASEAN-led processes. In particular the Obama administration has stepped up their commitment to ASEAN. As former National Security Advisor Tom Donilon noted in 2013, Barack Obama

> *has made a decision to participate at the Head of State level every year at the East Asia Summit, consistent with the United States' goal to elevate the EAS as the premier forum for dealing with political and security issues in Asia.*[619]

Moreover, the U.S. hosted the first ever U.S.-ASEAN Summit on American soil in California in 2016 and inaugurated the U.S.-ASEAN Connect initiative. Although it still remains the case that Washington first and foremost promotes bilateral military alliances and strategic partnerships with individual AMS, knowing that ASEAN-led multilateralism yields few tangible results. But Washington and other players do invest political capital into ASEAN by attending meetings and entertaining dialogues at the highest level and crucially, widely publicise and communicate this investment to a regional and global audience. In particular the Americans frequently reiterate their dedication to ASEAN centrality in the evolving security architecture of the Asia-Pacific.[620] In spite or perhaps precisely because of China's strategy in the SCS, to a lesser extent this is also the case with Beijing. The argument can be made that talking to ASEAN was all show and sits well with Beijing's overall strategy in the SCS. Nonetheless, although eschewing mentioning of ASEAN centrality and trying to establish a regional architecture of its own making, Beijing frequently participates in all critical ASEAN-based meetings and regimes it is invited to and engages in CBMs, thus lending credibility to the association.

In sum, convening Power is perhaps the greatest contribution ASEAN can make to East Asian security and is perhaps its greatest asset. Despite significant material asymmetries, ASEAN maintains a certain degree of relevance by keeping all actors upon whom regional stability depends engaged and talking. Although this is not

---

[619] White House, Office of the Press Secretary (11 Mar, 2013): Remarks by Tom Donilon. The United States and the Asia-Pacific in 2013.

[620] The White House, Office of the Press Secretary (21 Nov. 2015): Joint Statement on the ASEAN-U.S. Strategic Partnership.

sufficient, dialogue is better than no dialogue and this alone significantly reduces the risks of miscalculation and escalation, although both still exist; or in Michael Leifer's words, '*bricks made without straw are better than no bricks at all*'.[621]

Although ASEAN does not have a great degree of autonomous agency within its own institutions other than being the convener and factual security depends on the great powers, the fact that they come together at all lends credence to ASEAN relevance. As the late Lee Kuan Yew put it once, '*multilateral security dialogues can build understanding and confidence. But they are no substitute for a stable balance of power.*'[622] Hence, this benchmark has been met and ASEAN has some relevance in regional security to show for and by extension partially fulfils centrality demands. ASEAN may not be in the driver's seat of regional security, but perhaps it owns the car.

Competence Power – Not Met.

If one was to accept the Asia-constructivist argument and ASEAN's desire to create a rules-based order in its own image, projecting its norms into the wider region, hosting all relevant actors is no end itself. In order to live up to Asia-constructivists' greatest promise, ASEAN must back up its convening with its *competence power.* Arguably the most important of all benchmarks to be met if one was to conclude an appraisal of ASEAN's centrality in the wider regional security architecture on a positive note. If it could be proven that ASEAN possesses this constructivist reading of power and use it to meaningfully influence the interests and preferences of external, often more powerful players in Asia, ASEAN would not only be central to regional multilateralism and capable of creating a rules-based order conducive to its own ambitions. ASEAN would also falsify one of the most critical conclusions of realist theory. A loose congregation of small, materially weak states would have overcome international anarchy and tamed unequal power with the help of norm building via institutions. Building on traditional constructivism, it has been shown that Asia-constructivists believe ASEAN capable of precisely this; of socialising China

---

[621] Leifer (2005c): 162.
[622] Lee Kuan Yew quoted in Ang (2013): 71.

into regionally acceptable behaviour by having it subscribe to ASEAN-initiated norms and principles. Enmeshment in institutions and regimes produces cooperative habits, eventually leading to the rules-based regional security architecture ASEAN desires. It is the power to educate and re-educate relevant actors in the ways of regional conduct established and accepted by the ASEAN collective.

Unfortunately, this case study found that while Asia-constructivists are right in that ASEAN has indeed tried to socialise China into a non-military rules-based order, this has been remarkably unsuccessful. It was argued that performance could be measured in terms of Chinese acceptance, application, and internalisation of ASEAN projected norms and corresponding rules. Results illustrate that in spite of ASEAN socialising initiatives and an at first sight remarkably responsive Beijing, signatures under documents and institutional participation are no ends in themselves. As Asia-constructivists rightly point out, Beijing does not refuse participation in forums and official subscription to associated norms. On the contrary, it appears even keen on putting pen to paper and has committed to the normative order of both TAC and DoC and engages in high-level multilateralism for negotiations as well as CBMs. China made an unambiguous commitment to the principles of peaceful dispute resolution and an eventual rules-based order accepted on both sides of the SCS, in accordance with UNCLOS. China also agreed not to inhabit non-occupied features and to work toward a binding CoC. Yet, as the case study demonstrated, the impact of such cooperation has shown to be little beyond rhetoric. The socialisation or even partial acceptance of ASEAN norms has not occurred in practice, as China has not internalised cooperative, non-violent ASEAN norms. This is not due to a lack of trying. Chinese ratification of the DoC in 2002 and continuous work towards a binding Code of Conduct is ASEAN's greatest achievement to date as far as the specifics of the SCS disputes are concerned. No surprise that Asia-constructivists and ASEAN alike rally behind the code and frequently reiterated its importance and refer to its progress. Many have also argued that it is evidence for a rethink of Chinese traditional aversion to multilateralism and the ability of ASEAN to enmesh and socialise China.

However, militarisation, increasing aggression, even outright violence however directly contradict the key principles China has accepted on paper. Creation of artificial islands and their subsequent militarisation and the establishment of administrative control are in harsh violation of both UNCLOS and the DoC. It also goes against the cooperative spirit of the ostensibly continuing effort to work towards a binding CoC. As it stands, there are only very limited real costs associated with ratification of ASEAN-based treaties and participation in ASEAN institutions. ASEAN-based multilateralism has failed to elicit meaningful compromises and solutions. Legal acceptance has been exposed as insubstantial in practice. Far from socialising China into the ASEAN orbit, the non-committing ASEAN way allows China to participate without noteworthy costs and even to manipulate processes almost at will. As Chinese actions in the SCS, consistent with the material, hard components of its strategy, unambiguously demonstrate, China is paying lip-service to norms and legal frameworks while creating contrary, even polar opposite facts on the ground. While the TAC provides no effective conflict settlement mechanism and is entirely voluntary, the DoC is de facto not more than a statement of intent to perhaps eventually as some unspecified point in the future, come to an elusive binding agreement. Both Chinese militarisation of natural as well as artificially created islands and its aggressive behaviour only marginally shy of open military conflict is in stark contrast to what it has committed itself to on paper. Effectively, China lets facts determine regional negotiations and rules, not the other way around.

What is more, China is not only not internalising ASEAN-initiated norms, but it is in line with its overall SCS strategy. China obstructs the effective application of ASEAN norms and rules into which it is apparently being socialised by extending its military and civilian presence across the entire SCS, while simultaneously participating in dialogue. By engaging the region, Beijing appears to reassure all regional actors of its good intentions, while creating facts on the ground and manipulating processes in order to prevent both internationalisation and multilateralisation of the disputes. Regional multilateralism does not only fail to socialise China, it is to some extent even working in the opposite direction.

In terms of the final KPI, action instead of reaction, ASEAN has unfortunately also failed. Whenever ASEAN tried to take the initiative it could not succeed in its aims. Indicative are the two examples of the guidelines and ZoPFFC. At the first JWG meeting in 2005 ASEAN took the initiative and tabled a draft for the Guidelines to Implement the DoC. However, Beijing successfully barricaded and managed to block the process for several years, although the clause in contention was rephrased by ASEAN 21 times to make it acceptable to China. When negotiators eventually returned to the JWG to proceed, it followed pro-activity on the American, not ASEAN's part, by Clinton raising the stakes at the 2010 ARF. Moreover, far from being socialised into ASEAN's norms, the Chinese delegation only agreed to return to the negotiating table once the guidelines were amended in its favour. Similarly, one AMS, namely the Philippines, attempted to take ownership by galvanising ASEAN behind the laudable ZoPFFC, consistent with UNCLOS and more specific than the CoC. ZoPFFC represented a clear legalised framework that envisioned a two-step socialisation of China into an eventual rules-based order in the SCS. To Manila's disappointment, two spoiler countries inhibited ASEAN pro-activeness.

Asia-constructivists predicted that through its centrality, ASEAN is able to devise, shape, and lead regional institutions in its own image and could therefore mitigate, or even negate the consequences of significant material power asymmetries. This competence power would be a pivotal component of ASEAN centrality and ultimately its actorness. Yet, the greatest of all security issues as far as ASEAN and its extramural environment is concerned has shown that ASEAN-initiated instruments to transfer its own preferences and socialise an outsider have not yielded any tangible results on the ground. ASEAN has not been able to project its norms meaningfully into the wider Asia-Pacific and Chinese commitments remain entirely rhetorical. The benchmark of competence power has been missed entirely. Not only has it been unambiguously demonstrated that ASEAN lacks the teeth to be a successful socialiser or norm-enforcer, but also more critically that China is refusing to be the norm-recipient.

A Preliminary Conclusion

In this first case study, only one of the set benchmarks has been met. Thus, neither Asia-constructivist nor ASEAN's own assertions as to ASEAN's centrality in multilateral security can be confirmed. The answer to the case specific research question is therefore a "qualified no". It is a no of because two critical benchmarks of cohesion and competence power have been failed. It is qualified, because ASEAN does possess some convening power.

Centrality has been determined as one of the crucial pillars supporting Asia-constructivist and ASEAN's own claims as to its relevance and actorness. Noteworthy independent ASEAN agency in the driver's seat of East Asian security multilateralism would hint towards a significant degree of overall ASEAN actorness within the APSC. The association itself and constructivism-biased observers fancy ASEAN as the fulcrum of cooperative regional security architecture. We found however that this fulcrum is rather off balance. The major takeaway point is that ASEAN cannot fully transcend the power asymmetries specifically inherent to Sino-ASEAN relations. Although Asia-constructivists have made some great contributions to the study of ASEAN and in particular alluded to its convening power, it cannot put to bed basic notions of balance of power considerations. Chinese ambitions are hitherto more or less effectively checked not by a cohesive and coherent ASEAN-initiated and -led rules-based order, but by hard internal and external balancing. It is not norm socialisation or institutional enmeshment that harnesses Chinese expansion, but first and foremost a U.S. balancer and security guarantor. At least as worrying as far as ASEAN actorness is concerned, the U.S. is also often the backbone of the limited meaningful ASEAN action there is. If anyone is in the driver's seat at all, then it is likely to be the great powers.

ASEAN does not lack leverage per se. It only lacks the institutional ability to use its leverage effectively enough to prescribe a degree of agency that would measure up to centrality claims. The weak ASEAN-based system allows China to dictate the direction of regional multilateralism by manipulating processes as well as dictating the character of future regional power balances. ASEAN's consensus principle and its

near obsession with informality and non-commitment are largely to blame for the association's ineffectiveness leading to it being "sidelined rather than central". The consensus principle inhibits a resolution due to the significant split along diverging interests in the SCS. Not least due to ASEAN's heterogeneity it happens to be the case that the association is essentially bisected allowing China to divide and rule. ASEAN fails to establish unity and fails to maintain autonomous regional resilience. It fails to dictate the terms of regional multilateralism and collective action is easily undermined, in some cases even by its own members. As a consequence, not only are Asia-constructivists wrong in their optimism, ASEAN also repeatedly shows itself incapable of being a reliable organisation. Trust in ASEAN-based processes is low and AMS resort to alternative measures. Ironically, ASEAN's ineffectiveness is therefore self-reinforcing. While AMS remain the "masters of the treaties" and it was up to them to reform ASEAN processes that constrain its effectiveness, ASEAN failures have led to an erosion of trust into multilateral processes among AMS themselves to a point where individual governments have grown frustrated and increasingly exploit external avenues. In the same vein, as ASEAN has shown to be unreliable in security matters, for non-claimant AMS the price tag for ASEAN unity is simply not worth it.

As far as the DoC is concerned, the perhaps greatest problem with the DoC and its implementation is that it has become a matter of great urgency. The slow pace of progress of talks for the legally binding CoC stands in stark contrast to the increasing militarisation in the SCS. China is adamant that there can be no CoC until the DoC is fully implemented while at the same time blocking any attempt to implement the DoC guidelines. China's ongoing forceful changes to the political and strategic status quo makes the CoC process simply a diplomatic delaying tactic, for the status at the time of eventual ratification is precisely what an eventually binding CoC intends to maintain. Even if Beijing was to eventually agree, the situation in the SCS is likely to have changed in its favour to an extent as to render a CoC in its current form virtually meaningless. In other words, Beijing only needs to play for time while consolidating its presence in the SCS. In a context of legal ambiguity, there is the possibility that over time, law develops from established practice and de jure sovereignty may follow from de facto control.

The above is unflattering for ASEAN actorness. But there are positive conclusions working in ASEAN's defence. It has been demonstrated that, albeit limited, the association does play a role in regional security. Although ASEAN aspires to be significantly more than that, it is at a minimum contributing to conflict avoidance in a very volatile region by enabling dialogue and confidence building and it often goes unnoticed that talks have merit in themselves. It has been argued that Asia-constructivists significantly overestimate ASEAN's impact in the Asia-Pacific security theatre. Yet, most avenues of regional security discussion there are, are indeed ASEAN-based and maintained. [623] Hence, ASEAN critics are equally wrong by underestimating the merit of ASEAN and affiliated forums. ASEAN hosts and chairs the meetings, sets the agenda and procedures take ASEAN as a prototype. This in itself gives ASEAN a certain degree of agency. As a final word of caution, Asia-constructivists who argued that ASEAN's centrality was also manifest in its ability to "use" externals to its ends are misled.[624] One is well advised not to credit ASEAN for every effective check on Chinese aggression in the region. Nothing in this case study suggests that continuing U.S. balancing in the SCS is due to ASEAN "using" the U.S. to do so. ASEAN's convening power, though existent, does not derive from ASEAN agency as much as from the greater geopolitical context, a coincidental strategic environment.[625]

In sum, since two of the three key characteristics of the APSC have not been fulfilled, ASEAN centrality cannot be accepted. As far as ASEAN is concerned, despite some positive signs, there is not much is to be expected. To be fair to ASEAN, even the primary provider of global security and only global superpower, the U.S., finds it a tough ask to deal with Chinese assertiveness effectively. Salami-tactics in international relations are notorious and inherently difficult to answer without escalation. How could one ask ASEAN to find a SCS solution? Ultimately, short of a settlement, the best outcome of the SCS disputes will look like a frozen conflict along the status quo where a mix of hard balancing, subtle diplomacy, and legal elements

---

[623] There are exceptions, such as the annual track-1.5 Shangri-La Dialogue.
[624] Jones (2015).
[625] Yahuda (2004): 231.

mitigate against immediate crises and hot conflict. Mostly, AMS will apprehensively look towards the U.S. and increasingly Japan for security. ASEAN will continue to be sidelined rather than being central; in the passenger's rather than the driver's seat. Or has Bilahari Kausikan has famously put it, sometimes, the person in the driver's seat is only the chauffeur.[626]

4.2. Case Study 2: The "SC" in the APSC – The Thai-Cambodian Conflict and the ASEAN Security Community.

> *ASEAN has indeed become a security community in the sense that its members do not foresee the prospect for resorting to armed confrontation among themselves to resolve existing bilateral disputes. Thanks to the "habit" of cooperation developed through political, diplomatic, cultural and military exchanges, ASEAN states have moved to a point at which intra-ASEAN conflicts have "either become irrelevant or been muted considerably" (Amitav Acharya, 1991)* [627]

> *The Thai-Cambodia border dispute shows that members of ASEAN can't refrain from using force with each other. How can you say they we are a community if we attack each other? (Rizal Sukma, 2011)*[628]

At the heart of the first ASEAN Community (AC15) pillar, the ASEAN Political-Security Community (APSC) is the "SC" – the "security community". This second case study intends to evaluate the degree of ASEAN's actorness in regional security by investigating the quality of security community claims. Supposedly, the umbrella of APSC covers a community of nation states that cooperate under the precondition of dependably non-violent multilateralism, displaying at least a burgeoning sense of a

---

[626] Bilahari Kausikan (2014).
[627] Acharya (1991): 172f.
[628] Rizal Sukma quoted in *The Jakarta Post* (May 5, 2011): Border disputes, Myanmar may eclipse ASEAN's progress.

common identity based on norm sharing as well as a commonly shared, intersubjective understanding of security and stability. This chapter will assess whether the APSC "supplies" the Deutschian indicator of *dependable expectations of peaceful change*, "supplies" the much acclaimed *identity*, and lastly "supplies" the degree of institutional agency in intramural *conflict mediation* that certifies security actorness in times of inevitable intramural disagreement.

This case study asks whether or not AMS can be considered to be living under the condition of a robust and reliable security community, resulting from ASEAN integration into AC15. Has ASEAN fostered dependable expectations of peaceful change, a degree of common identity and contributed to non-violent conflict resolution?

Like case study 1, we investigate a "hard" case for ASEAN. This time in the form of the Thailand-Cambodia border war[629] within the 2008 – 2011 time frame when, due to a bilateral dispute over the ancient temple of Preah Vihear, respective militaries were summoned along the border and an initially minor dispute was incrementally escalated by both sides. Both belligerents were and are ASEAN Member States (AMS), the ASEAN Charter was in force and AC15 well underway. This conflict represented as great a challenge to ASEAN's very raison d'être of security as it presented an opportunity for ASEAN to substantiate the APSC pillar.

I offer the following case specific research question:

Does the APSC sufficiently satisfy the demands of the security community concept to warrant its name?

Following the overall research design, this case study commences with a thorough analysis of the "demand side", drawing on chapter 3. From this, it derives a set of

---

[629] This thesis refers to this event as war, clash, or conflict interchangeably, despite awareness of the Uppsala conflict intensity criteria. Those denote state-based conflicts as "minor" if battle-related deaths remain in between 25 and 1000 and as "war" if battle-related deaths exceed 1000 in one calendar year. If battle-related deaths remain under the threshold of 25 in one calendar year, the Uppsala criteria speak of "low activity" as opposed to "armed conflict". In full awareness of this widely accepted quantitative standard and appreciation of the requirements of quantifiable variable in certain research projects, for all intents and purposes here, this accurate distinction is not necessary in order to satisfy academic precision. (Uppsala University, Department of Peace and Conflict Research, available at: www.pcr.uu.se, accessed: 21/01/2016.).

benchmarks and corresponding KPIs. A subsequent analysis of the "supply side" will give a thorough footing for the second of this thesis' three empirical appraisals of ASEAN's security actorness. I arrive at the conclusion that ASEAN is not a security community, since the APSC mostly fails critical benchmarks. The fact that two AMS have fought a hot conflict negates the basic security community claim. At the same time, an investigation of political background and motivation for deliberate escalation of the conflict raises serious doubts as to the substance versus rhetoric of regional as opposed to national identity. Yet, the picture is more balanced than a simple "F" for fail. ASEAN can, within its structurally limited means, contribute to escalation prevention and conflict mediation. Based on results of this case study, the answer to the research question is a "no". But although the APSC is window dressing, ASEAN is by no means redundant in regional security.

Demand Side – The APSC.

Even the most cautious or apologetic observer will find it hard to deny that ASEAN casts itself as a security community and Asia-constructivists follow suit. Chapter 3 has in great detail introduced both perspectives and clarified the Asia-constructivist concepts of identity and community as well as their implications for ASEAN. As in all case studies, the following will recall some of the basic arguments as they relate to the specific case in order to develop a coherent set of benchmarks.

ASEAN Rhetoric

> *The APSC [ASEAN Political-Security Community] will ensure that the peoples and Member States of ASEAN live in peace with one another and with the world at large […] (ASEAN, 2009)*[630]

Evidencing that ASEAN fancies itself as a security community, characterised by the renunciation of inter-state violence and peaceful conflict resolution, based on a shared regional identity and the realisation that each other's security is inextricably linked, is not a difficult task by any means. ASEAN itself continues year after year to

---

[630] APSC Blueprint (2009): II.6.

flamboyantly and prominently declare precisely that. The first clue is certainly in the name itself. The second in APSC's raison d'être; to ensure that '[*AMS and the peoples of ASEAN] live in peace with one another and with the world at large*' in a '*just, democratic and harmonious environment*.' This objective, ASEAN declared, is realised by creation of a *'rules-based'* community of '*shared values and norms*' in a '*cohesive, peaceful, stable and resilient region with shared responsibility for comprehensive security*'.[631] ASEAN envisages that the APSC will '*bring ASEAN's political and security cooperation to a higher plane.'*[632]

By ASEAN's own accounts, through the APSC, Southeast Asia shall be

> *[a] region that resolves differences and disputes by peaceful means, including refraining from the threat or use of force and adopting peaceful dispute settlement mechanisms while strengthening confidence-building measures, promoting preventive diplomacy activities and conflict resolution initiatives.*[633]

Although the key characteristic of the APSC is therefore the absence of war, it is allegedly also the institutionalisation of shared norms, values, and identity as the reason for the absence of war. The 2015 APSC Blueprint, formally adopted at the 14th ASEAN Summit in 2009 prominently identified its first community pillar as a

> *rules-based, people-oriented, people-centred community bound by fundamental principles, shared values and norms, in which our peoples enjoy human rights, fundamental freedoms and social justice, embrace the values of tolerance and moderation, and share a strong sense of togetherness, common identity and destiny.* [634]

In other words, ASEAN declares itself a fully-fledged security community.

Of course, attentive critical observers may point out that the declarations made in ASEAN's 2015 document Vision 2025 are precisely that, ambitions and visions to be realised by 2025. However, by ASEAN's own account of 2009, the

> *Political-Security Community has its genesis of over four decades of close co-operation and solidarity. The ASEAN Heads of States/Governments, at their Summit in Kuala Lumpur in December*

---

[631] APSC Blueprint (2009): II.10.
[632] APSC Blueprint (2009): II.6.
[633] ASEAN Community Vision 2025 (2015): Article 8.5.
[634] APSC Blueprint 2025 (2015): II.5.1.

> *1997 envisioned a concert of Southeast Asian nations, outward looking, living in peace, stability and prosperity, bonded together in partnership in dynamic development and in a community of caring societies.*[635]

What ASEAN is referring to here is its 1997 Kuala Lumpur Summit where the idea of community and concert of nations was first articulated and specified. Like Vision 2025, the 2020 version stated what ASEAN will have achieved come the respective year in terms of integration, including security integration. As chapter 2 explained, the date 2020 was ambitiously rescheduled and put forward to 2015 at the 9th ASEAN Summit. ASEAN was determined that by the year 2020 (now 2015) it will have

> *established a peaceful and stable Southeast Asia where each nation is at peace with itself and where the causes for conflict have been eliminated, through abiding respect for justice and the rule of law […] Southeast Asia where territorial and other disputes are resolved by peaceful means.*

Until then, ASEAN declares – grammatically relying on present perfect tense – that

> *[w]e in ASEAN have created a community of Southeast Asian nations […] Our rich diversity has provided the strength and inspiration to us to help one another foster a strong sense of community.*[636]

This regional sense of community was defined more precisely in 1999 by then ASG Rodolfo Severino who pointed out – this time relying on the present perfect continuous – that

> *[t]he main reason for ASEAN's enduring strength has been the stake that each member has in the viability of the association. This stake goes beyond the results of the economic and other forms of cooperation that ASEAN has been undertaking over the past three decades. ASEAN is more than an association of states. It is also a process, a spirit, a state of mind.*[637]

On the basis of this continuing "strong sense of community", or this "state of mind", ASEAN will be a '*concert of Southeast Asian Nations*'; a '*community […] bound by a common regional identity*'[638] once vision becomes reality.

---

[635] APSC Blueprint (2009): I.1.
[636] ASEAN Vision 2020 (1997): Preamble.
[637] Severino, R. (1999): Thinking ASEAN, Interview by the *Philippine Graphic Magazine*, November 29, available at: www.asean.org, accessed: 30/06/2015.
[638] ASEAN Vision 2020 (1997): Preamble.

In 2003, Bali II speaks more determinedly of ASEAN as a *'community of caring societies [which] promote a common regional identity'*. [639] One year later, some strategies were mapped out in order to

> *contribute to building collective responsibilities and forming a standard or common adherence to norms of good conduct in a democratic, tolerant, participatory and open community, as a means to consolidating and strengthening ASEAN as solidarity, cohesiveness and harmony (the "we feeling")* [640]

This identity was built on security preservation and cooperation and the realisation of the common stake in each other's security situation. In fact, as early as 1967, ASEAN's founding document, the Bangkok Declaration, identified the promotion of intramural Southeast Asian peace and stability as a main purpose and ASEAN as a forum for the resolution of intramural conflicts. It is certainly possible to argue that the prevention of military conflict in Southeast Asia was one of the two main reasons ASEAN was conceived in the first place – in addition to keeping the great powers engaged in a potentially instable security vacuum. Following the end of Konfrontasi, the declaration explains that as of 1967 the very existence of ASEAN '*represents the collective will of the nations of South-East Asia to bind themselves together in friendship and cooperation […] for the blessings of peac*e'. Nations are engaged in '*joint endeavors in the spirit of equality and partnership in order to strengthen the foundation for a prosperous and peaceful community of South-East Asian Nations*.'[641]

Accordingly, Bali Concord I of 1976 asked AMS to act '*in the spirit of ASEAN solidarity'* and to '*rely exclusively on peaceful processes in the settlement of intra-regional differences.*'[642] The second edition of 2003, establishing the actual pillars of AC15, elaborated further and added to "the spirit of ASEAN solidarity" for this "exclusively peaceful" security cooperation a constitutive, ideational basis. All members of the ASEAN security community (by that time all current ASEAN10) ostensibly '*regard their security as fundamentally linked to one another and bound*

---

[639] Bali Concord II (2003): 10, available: www.asean.org, accessed: 01/06/2016.
[640] Vientiane Action Programme (2004): II.1.2, available: www.asean.org, accessed: 15/02/2015.
[641] Bangkok Declaration (1967), available: www.asean.org, accessed: 02/10/2015; chapter 2 for more information.
[642] Bali Concord I (1976): 6, available: www.asean.org, accessed: 02/06/2016.

by geographic location, common vision and objectives'.[643] This allegedly being the case, the regulative element that intramural cooperation must take place under an unconditional '*renunciation of the threat or the use of force*'[644] was reiterated.

In addition to APSC-specific agreements, the 1976 Treaty of Amity and Cooperation (TAC) still represents one of the fundamental pillars of codified constitutive and regulative ASEAN security cooperation. The TAC prescribes to all contracting parties (all ASEAN10 in addition to a number of extramural states) the utmost respect for the one universal principle that is "peaceful coexistence" and "friendly cooperation" among signatory states. Indeed, the very ambitious, flamboyant purpose of the TAC is the promotion of '*perpetual peace, everlasting amity and cooperation*'.[645] All contracting parties have unanimously agreed to put pen to paper in order to henceforth conduct their interrelations in accordance with such fundamental principles as mutual respect for sovereignty, equality, territorial integrity, freedom from external interference, subversion or coercion, peaceful settlement of differences or disputes, and the renunciation of the threat or use of force.[646] Article 10 specifically requires each signatory to '*not in any manner or form participate in any activity which shall constitute a threat to the political and economic stability […] of another [signatory]*'.[647]

Article 13 trusts in the good faith of all parties to prevent any conflict from occurring. However, principles aside, should a dispute ever arise, Chapter 4 of the TAC, titled *Pacific Settlement of Disputes* provides well defined guidelines as to the process of settlement. In case bilateral negotiations – always the first point of call – are to no avail, the TAC provides for the High Council[648] as the ad-hoc, but default mechanism to arbitrate and settle disputes through ASEAN-based regional processes. In cases of disturbances to '*regional peace and harmony*', ASEAN can therefore be authorised to take cognizance via the High Council, which should initiate appropriate means of

---

[643] Bali Concord II (2003): 1.
[644] Bali Concord II (2003): 4.
[645] TAC (1976): Art 1, available: www.asean.org, accessed: 02/06/2016.
[646] TAC (1976): Art 2.
[647] TAC (1976): Art 10.
[648] Chapter 2 for more detail on the settlement provisions under the TAC and the High Council.

settlement and prevention of deterioration, such as offering good offices and mediation.[649]

Far from being outdated, in 2003 ASEAN reaffirmed the validity of the TAC and that in ASEAN's eyes this treaty remains '*an effective code of conduct for relations among governments.*' In particular the High Council ostensibly reflects ASEAN's commitment to peaceful conflict resolution and accordingly merges with the APSC in that the High Council, '*shall be the important component in the ASEAN Security Community*'.[650] The APSC Blueprint therefore accentuates the applicability and mechanisms of the TAC in intramural security and disputes,[651] reinforced in ASEAN's latest security community roadmap from 2015. [652] The 2009 edition devotes an entire section to conflict resolution and calls for the strengthening of existing mechanisms for the settlement of disputes under the TAC. It also urges enhanced development of ASEAN modalities for good offices, conciliation and mediation. The 2015 blueprint reiterates 2009 provisions for a

> *constructive role of ASEAN in, and promote a rules-based approach towards the peaceful settlement of disputes in accordance with the ASEAN Charter, the TAC and other relevant ASEAN instruments.*[653]

One could reasonably argue that both the inauguration of a security community in general as well as peaceful cooperation and dispute settlements became de facto legal requirements in form of the very first provisions of Article 1 in ASEAN's main legal framework, the Charter. In the tradition of 1967, Charter Article 1 declares ASEAN's main purpose to be

> *[t]o maintain and enhance peace, security and stability and further strengthen peace-oriented values in the region; To enhance regional resilience by promoting greater political, security, economic and socio-cultural cooperation* [654]

---

[649] TAC (1976): Art 10 – 17.
[650] Bali Concord II (2003): 7.
[651] APSC Blueprint (2009): II.9.
[652] APSC Blueprint 2025 (2015): A.1.7.
[653] APSC Blueprint (2015): B.4.3.i.
[654] ASEAN Charter (2007): Art 1.

In order to meet the security community goals of stability, peace and security, and socio-cultural cooperation, the Charter legally obliges AMS to act in accordance with principles including '*shared commitment and collective responsibility in enhancing regional peace, security and prosperity*' and '*enhanced consultations on matters seriously affecting the common interest of ASEAN.*'[655] Charter Article 22 and 23 urge AMS to negotiate peacefully among themselves and via ASEAN established and maintained mechanisms. Disputing parties can call upon ASEAN to provide good offices and mediate in particular through the hands of the ASEAN Chair or the ASG. [656] The Charter also specifically reconfirms the validity of TAC settlement mechanisms.[657] The ultima ratio the Charter provides for is still an ASEAN-based political solution. Article 26 stipulates

> *when a dispute remains unresolved, after the application of the preceding provisions of this Charter [friendly negotiations, mediation, TAC settlement provisions], this dispute shall be referred to the ASEAN Summit, for its decision.*[658]

Taken together, AMS map out their commitment to be a *'united, inclusive and resilient community'* that will '*remain cohesive, responsive and relevant in addressing challenges to regional peace and security.'*[659]

> *The purpose of these strategies shall be to prevent disputes and conflicts from arising between ASEAN Member States that could potentially pose a threat to regional peace and stability.*[660]

In sum, with such documents and legal treaties, security regimes, and declarations of intent, AMS furnished ASEAN with a clear mandate to be, albeit on basis of voluntary compliance corresponding with the ASEAN way, the mediator of first resort in a rules-based security community, founded on normative as well as functional security principles.

---

[655] ASEAN Charter (2007): Art 2.
[656] ASEAN Charter (2007): Art 22; 23.
[657] ASEAN Charter (2007): Art 24; the same article also recognises the 2004 ASEAN Protocol on Enhanced Dispute Settlement Mechanism (EDSM). EDSM is the default provision for economic dispute resolution among AMS and thus, of no concern for the purpose of this thesis.
[658] ASEAN Charter (2007): Art 26.
[659] ASEAN Community Vision 2025 (2015): Art 7.
[660] APSC Blueprint (2009): B2.21.

Asia-constructivists

Chapter 3 has already demonstrated the importance and ideological basis of principles and concepts such as community, norms, and identity. It was also shown that such defined principles and concepts are alien to realists and accordingly, do not matter much in realist accounts of ASEAN security cooperation. Indeed they do not matter much at all. If actors (states) cooperate in security at all, neo-realists are likely to believe that this will at most be a limited functional multilateralism, directed against a common threat perception.[661] To thus inclined observers the development of the APSC and security cooperation in general is, just like the founding of ASEAN itself, threat rather than norm and identity dependent.

On the other side of the fence, such concepts are the very essence of constructivism and thus, not surprisingly at the heart of Asia-constructivist perspectives on intra-ASEAN security cooperation. Chapter 3 explained in great detail the extent to which observers whom I have termed Asia-constructivists rely on traditional constructivist and security community literature. Communities in general were sociologically well explained by Ferdinand Toennies who juxtaposed "society" as rationally constructed cooperatives, formed in anticipation of gains by self-interested individuals and "community" in which members are bound by an intrinsic identification with the overall collective and common objective. [662] A shared interpretation and intersubjective understanding of norms and values bind community members, shaping a feeling of togetherness. Community members act in Max Weber's terms "value-rational", guided by an intrinsic orientation on the fundamental norms and values of the group. Behaviour is thus guided by March and Olsen's "logic of appropriateness". [663] Characteristic of community behaviour is therefore an orientation along acceptability of appropriateness defined by a common identity and constitutive norms. In the context of a mutual reconstructive structure-agency relationship, we saw how some traditional constructivists argued that a redefinition of self in relation to others within an interactive environment is the dependent

---

[661] Walt (1985); (1987).
[662] Toennies (1887, edited 2001).
[663] March/Olsen (1998).

variable of a we-feeling and a collective identity. Identity itself is again constantly produced and re-produced by social interaction and in turn defines the interest of the individual unit.[664] Both identity and interest are therefore extrinsic, mutually constitutive and constantly re-negotiated. Interaction facilitates identity construction and intersubjective understandings of commonly shared interests. Adler and Barnett argued that in practice, a community evinces the three characteristics of shared identity, values, and meanings; engage in frequent interactions in numerous settings; and lastly evince reciprocity. Members are supposed to have convergent definitions of the common regional good; a consideration that prevails over narrowly defined self-interest.[665] Hence, in theory, a security community is characterised by inter-subjective understanding of belonging together. In practical terms, incremental institutionalisation of positive cooperation practices follows from shared identity, successively acquired by reliable patterns of norm adherence. As opposed to neo-realist understandings of narrow, self-interest-based functional cooperation, nation states can in this view opt to cooperate and over time establish a collective non-violence identity through appropriate behaviour and cordial interaction.[666]

We found that in the Deutschian tradition, at their core, security communities are regarded as a group of states among which war has become inconceivable due to an experience of habitually reciprocated trust and non-violent cooperation, appropriate behaviour, and incremental identity formation. In early security community literature, Karl Deutsch had defined a security community as an integrated group with a developed sense of community and institutionalised unifying habits and practices. This community has '*come to an agreement on at least this one point: that common social problems must and can be resolved by processes of peaceful change*'.[667] In other words, inter-state relations take place in absence of war and preparations for war, under the conditions of dependable expectation of peaceful

---

[664] Hopf (1998); Wendt (1998).
[665] Adler/Barnett (1998).
[666] Wendt (1998).
[667] Deutsch et al. (1957): 5.

change.[668] A security community once formed will have created the foundations for reliable long-term peace.

Adler and Barnett were shown to be supportive of this notion and specified the need for institutional regional integration and the resulting dynamics. This decreases the likelihood of war. Whereas Deutsch had put functional cooperation, or transactions as he put it as his IntV, Adler and Barnett see integration not only as a functionalist spill-over but emphasised the institutionalisation of '*mutual identification, transnational values, intersubjective understandings, and shared identities'*.[669] The authors believe that

> *violent conflict can be mitigated and even eliminated by the development of mutual identification among peoples and not through conventional practices such as balancing and collective security schemes.*[670]

Charles Kupchan boldly declared that despite minor disagreements, academic consensus existed that ASEAN was indeed a successfully integrated, normative security community.[671] Accordingly, ASEAN has supposedly arrived at Kupchan's fourth and final phase of community formation, the "generation of new narratives and identities". As chapter 3 explained, this phase is characterised by a modification of the general political discourse around former adversaries, now security community members. Through political, economic, and cultural symbolism, mutual perceptions are altered and identities begin to converge. The distinction of the self and the other among former antagonists fades and gives way to the much cited we-feeling.[672]

This ought to result in what Timo Kivimaki called the long peace of ASEAN.[673] We saw how Kivimaki's quantitative research on the decrease of interstate conflict in ASEAN

---

[668] Deutsch (1961): 98f.
[669] Adler/Barnett (1998): 59.
[670] Adler/Barnett (1998): 59.
[671] Kupchan (2010).
[672] Kupchan (2010): 35ff; also Khong (2004) for the emergence of "we-ness" through regional cooperation.
[673] Kivimaki (2011); (2014).

since 1967 and even more so in the post-TAC era, led him to conclude that a trend of Southeast Asian identity construction facilitated the "long peace of Asia", beginning with ASEAN and spreading "like a benign disease".[674] He regards ASEAN as the peace generating institutional outcome of an elite realisation of the importance of commonly shared principles, goals, and identity, specifically due to the practices of the ASEAN way. A conflict adverse political culture of governance and diplomacy has produced ASEAN's security community. [675]

With this, Kivimaki built on earlier ground breaking Asia-constructivist notions of writers such as Nikolas Busse who had seen a collective identity based on social practice and interaction as "the real glue" holding ASEAN together.[676] Individual AMS often acted beyond narrowly defined national interests, since they collectively felt that they '*had something more important in common - namely being a member of ASEAN*.'[677] In Busse's view, there is only very limited distinctive individual national interest across ASEAN. Perhaps borrowing from Wendt, Busse believes that interest should not be seen as consequence of strategic location or economic structure. Instead, AMS' interests derive from the groupings acquired collective ASEAN identity.[678] The arguably most prominent contemporary Asia-constructivists Amitav Acharya argued in very similar fashion. Due to socio-cultural commonalities, increasing regional cooperation had apparently ignited a still on-going process of intramural socialisation, precipitating gradual Southeast Asian identity formation beyond mere material interests. Acharya sketches how decades of incrementally institutionalised regional socialisation processes allowed ASEAN elites to "imagine" themselves as part of a distinct Southeast Asian region, conducive to evolving regionalism and remarkably great regional coherence. Deeper institutionalisation of norms fostered an eventually shared regional identity, less defined by self-interested nation states and geographical borders but by a shared sense of a common, Southeast Asian identity, producing what is now a "nascent ASEAN security

---

[674] Kivimaki (2014): 65.
[675] Kivimaki (2014): 23f.
[676] Busse (1999): 53ff.
[677] Busse (1999): 54.
[678] Busse (1999): 55.

community".[679] As we recall, at the nascent stage a group of states begins to cooperate in order to increase individual security and encourage further interaction amongst them. Although this group may retain some internal rivalry and competition, at the nascent stage rivalry is muted by a noticeably evolving shared identity, appreciation of common threats, and anticipation of gains that may well be mutual as opposed to zero-sum. Those states have come to realise that they share common security interests and that their respective individual security may be enhanced by collective security cooperation on the lowest common denominator.[680] Whereas Acharya's 2001, by his standards pessimistic conclusion noticed a dip from the more promising early 1990s – perhaps influenced by inauspicious effects of enlargement or the Asian financial crisis – in 2014, Acharya regained his cautious optimism and discovered an ASEAN identity not normally expected in the nascent phase but resembling security community identity of the advanced "ascendant" tier.[681]

Also of interest to this case study, according to Acharya's writing, not conflict as such but membership expansion to include previously "unsocialised" states is the greatest threat to security communities.[682] Acharya argues that security community claims are not contradicted by the presence of intermural tensions at all. In fact, those may well arise at any time. What mattered though, was peaceful tension management around identity and norms commonly shared by all members.[683] Acharya's 2011 prediction for ASEAN in the year 2030 is worth a read in this regard. Here, Acharya lists what he sees as ASEAN's greatest previous achievements as well as future challenges.[684] He argues that

> *ASEAN's single greatest success as a regional body, a central basis of its claim to be a "nascent security community", was its ability to dilute and manage, if not entirely resolve intra-mural disputes. […] Over the years, ASEAN members have not allowed their bilateral territorial disputes and political tensions, including those over maritime*

---

[679] Acharya (2014).
[680] Acharya (1991); (2001); Adler/Barnett (1998): 37ff; also chapter 3 of this thesis for more detail.
[681] Acharya (2014): 264.
[682] Acharya (2014): 31f.
[683] Acharya (2005): 107.
[684] Acharya (2011).

> *boundaries in the Gulf of Thailand, South China Sea, the Sulu Seas and other areas, to cripple the organization.*[685]

Others have shown to be equally, or even more positive that ASEAN indeed constituted a security community. Alex Bellamy had for instance argued that ASEAN deliberately constructed informal networks of interaction that match the benefits of supranational qualities of comparable communities such as the European Union (EU), by being a '*loosely coupled community of values, interests and norms*'.[686] Like other Asia-constructivists, Bellamy argues that ASEAN managed to build a '*no war community',* his argument's dependent variable (DV)*,* on the solid basis of shared norms, constituting Bellamy's independent variable (IV).[687] Likewise, Estrella Solidum regards the successfully integrated community that is ASEAN as the centrepiece of intramural security and stability.[688] ASEAN had been able to maintain the '*highest commitment to goals of peace, freedom, stability, prosperity, rule of law, and security*' in '*a concert of Southeast Asian nations*.'[689] Solidum leaves no doubt as to her causal variable and, like Acharya, believes a common identity shaped by the Asia-constructivists IV of choice, shared norms, fostered an ASEAN sense of community and a peaceful community of caring societies.[690]

Supply Side – How Secure is the Community?

According to the above, leaders of ASEAN Member States (AMS) can reasonably expect peaceful intramural relations. ASEAN names itself a security community, albeit remaining vague as to whether it has already fully matured or was still remaining just below the maturity threshold. Asia-constructivists see ASEAN at least as a nascent security community on an upward trajectory. Some have gone significantly further. Ostensibly, Southeast Asian regionalism is of transformative character, establishing a shared identity and ultimately reliable long-term peace. It is

---

[685] Acharya (2011): 4.
[686] Bellamy (2004): 88; 180.
[687] Bellamy (2004): 181.
[688] Solidum (2003).
[689] Solidum (2003): 222.
[690] Solidum (2003): 202.

therefore not unreasonable to see ASEAN as a security facilitator by promoting and contributing to standards of non-violence across its regional jurisdiction. Indeed the very name the association gave its first AC15 pillar, the ASEAN Political-Security Community (APSC), seemingly lends credibility to Asia-constructivists assessments of ASEAN as an identity sharing community under the condition of dependable expectations of peaceful change.

Benchmarks

The benchmarks devised for this case study connect the two critical elements of the APSC – "security" and "community", the "S" and the "C". While security relates to the benchmark of the Deutschian prerequisite of *dependable expectations of peaceful change*, the second element is the umbrella for the two benchmarks of *identity* and *conflict mediation*. In their sum, the three benchmarks ask the two fundamental questions concealed in the "SC"; does ASEAN have security?; and, is ASEAN a community?

The benchmark of *dependable expectations of peaceful change* is justified for it has been identified as the hallmark of security communities. According to Deutsch, security community members have '*come to an agreement on at least this one point: that common problems must and can be resolved by processes of peaceful change*'.[691] Or in ASEAN's words a '*concert of Southeast Asian nations*' '*resolves differences and disputes by peaceful means, including refraining from the threat or use of force'*.[692] The grouping has added further impetus by tireless reiteration of the utmost necessity, even legal requirement to ensure that political disagreement must occur under the provision of non-violence and no intra-ASEAN relations may involve the use or threat of force. Asia-constructivists have seized on that point and declared ASEAN a security community and while tensions may still arise, peaceful tension management is what matters. Hence, this benchmark justifiably inquires as to the extent to which war has become inconceivable among members of the APSC and the

[691] Deutsch et al. (1957) op. cit.
[692] ASEAN (1997); (2015) op. cit.

prospect of and preparation for conflict has been replaced by reliable patterns of non-violent conduct.

As such, specific KPIs are easily set. Do AMS rely on peaceful means for conflict settlement or not? To what extent has non-violence rather than the use and/or threat of force become the default mode for intramural dispute settlement? This can be measured in terms of military force applied by warring parties, perhaps even including battle-deaths of soldiers and civilians as well as conflict related interruption of human development, such as civilian displacements and disturbance of economic activity. Have AMS violated the TAC requirement to '*not in any manner or form participate in any activity which shall constitute a threat to the political and economic stability […] of another [signatory]*'?[693]

The *identity* benchmark derives largely from the intervening variable (IntV) of choice by many Asia-constructivists. On the basis of common norms, a shared identity has emerged and become the tool through which the ASEAN security community is constructed. This benchmark intends to assess whether APSC members act "value-rational", guided by intrinsic orientation on what is collectively appropriate, characteristic of identity as the "real glue" binding the association. Since individual AMS ostensibly often felt that they '*had something more important in common - namely being a member of ASEAN*', they tended to act beyond narrowly defined national interest.[694] Acharya argued that although typically not yet expected in the nascent phase of security community building, ASEAN showed a regional identity resembling more matured security communities. [695] An awareness of common security interests and converging threat perceptions ought to be recognisable. Apparently, adding to a functional appreciation of collective security is a sense of community, of belonging together. ASEAN itself has also contributed to this benchmark. What began with Severino's vague "sense of community" or a "state of mind" became a "concert of Southeast Asian Nations" and a '*community […] bound*

[693] TAC (1976) op. cit.
[694] Busse (1999) op. cit.
[695] Acharya (2014): 264.

by a common regional identity'[696] *of 'caring societies',* [697] even specifically "we-feeling".[698]

Do APSC members at least indicate some orientation along convergent definitions of the common regional good, replacing narrowly defined self-interest, as Adler and Barnett have specified they ought to?[699] Have shared ideas, values, and norms that codify appropriate behaviour generated a sense of ASEAN identity as Asia-constructivists assume? Although identity is a notoriously hard to measure concept, a "free-for-all" exist,[700] and convincing yardsticks are absent, we should, after many years of Southeast Asian security community building, be able to identify an intersubjective understanding of belonging together that redefined AMS' interests in Wendtian tradition.

Since we are dealing with a very specific case here, I propose two indicators of a common regional ASEAN identity in terms of security policy of two APSC members. The degree to which we can identify intrinsic value rational behaviour and a sense of appropriateness in accordance with commonly shared and agreed upon norms, Acharya's IV. I.e. foreign- and security policy orientation on the common regional good instead of narrowly defined self-interest. Furthermore, it ought to be possible to observe Kupchan's formation of "generation of new narratives and identities" characterised by a positive or at least restrained general political discourse around former adversaries among security community members.

The final benchmark relates to ASEAN's ability to facilitate dispute resolution between AMS should the need arise; its *conflict mediation* capability. This assesses the ability of ASEAN to function as the conflict mediator of first resort in case bilateral negotiations are to no avail. Chapter 4 of the TAC provides clear measures for dispute settlement such as the High Council and the facilitation of good offices by ASEAN institutions. The Charter further codified those conflict resolution

---

[696] ASEAN Vision 2020 (1997) op. cit.
[697] Bali Concord II (2003) op. cit.
[698] Vientiane Action Programme (2004) op. cit.
[699] Adler/Barnett (1998).
[700] See Khoo (2015): 183.

mechanisms. ASEAN demands for itself a "constructive role" *in 'the peaceful settlement of disputes in accordance with the ASEAN Charter, the TAC and other relevant ASEAN instruments.'*[701] As early as in its formative years of 1967 has ASEAN justified its very existence with the facilitation of peaceful, stable, and reliable intramural cooperation. Ever since, this has been the very raison d'être of ASEAN. Asia-constructivists have argued that it is the existence and subsequent institutionalisation of non-violent cooperative norms that aids identity building and ultimately, intramural security. Indeed, as Acharya had argued, tensions may still arise but the peaceful settlement of those is what matters. In case of disagreement, we can therefore reasonably expect ASEAN to pull its weight and at least offer good offices to conflicting parties. This benchmark therefore assesses the extent to which AMS trust in ASEAN abilities and call on their common organisation to be the number one facilitator of conflict mediation should bilateral means fail to produce satisfactory results. At the same time, there should be some degree of ASEAN proactivity to ardently substantiate commonly agreed upon norms by providing good offices and facilitating meaningful mediation among members. The extent to which members request ASEAN involvement and the extent to which ASEAN is enabled to respond is indicative of its overall security actorness. KPIs therefore are the proactive role of ASEAN as opposed to idleness and inability, the enthusiasm of conflicting security community members to call on their common institutions, and the latters' effectiveness in mediating efforts, measured in concrete outcomes.

Benchmarks	***Dependable expectations of peaceful change***	***Identity***	***Conflict mediation***
	War has become inconceivable; reliable and stable patterns of non-violent conduct have been established.	Common sense of belonging and intra-ASEAN we-feeling; appreciation of common interests.	ASEAN as a forum for meaningful, peaceful conflict resolution.
Corresponding KPIs	Absence of violence and military means in conflict resolution processes; no interruption of human development due to inter-AMS military activity.	Policy incorporates consideration of regional good rather than narrowly defined self-interest; new narratives and positive discourse towards others.	AMS readiness to rely on ASEAN good offices; ASEAN's pro-active role in immediate conflict resolution; effectiveness of ASEAN-based mediation and crisis response.

[701] APSC Blueprint (2015) op. cit.

I content that the Thai-Cambodian border conflict is a valid test case and represents a great contribution to this thesis' critical appraisal of overall ASEAN security actorness. Although root causes date back to historic times, the crisis at hand is a contemporary one. It occurred unquestionably between two members of the APSC, included officially sanctioned military activity and is thus indisputably within the scope of the APSC. The three benchmarks allow a comprehensive analysis of all elements of the institutionalised security community in Southeast Asia. If supply meets demand, the case specific research question can be answered positively, allowing us to conclude that the APSC's qualities sufficiently warrant its name. A further critical element of ASEAN actorness in the APSC pillar could be deemed sufficiently high in order to justifiably endorse Asia-constructivist optimism and ASEAN's genuine resolve to live up to its rhetoric. In the following, an overview of the conflict itself, inter-combatant relations, and external involvement precede an evaluation of the validity of security community claims in the light of the three benchmarks and corresponding KPIs.

Background – The Thai-Cambodian Border War of 2008 - 2011

Preah Vihear Temple and adjacent territory; Source: *BBC News*.

Preah Vihear is a 11th century Hindu temple in the Dangrek Mountain region along the Thai-Cambodian border. The unfortunate struggle over Preah Vihear is an old one, long predating Cambodian independence and originally a contest between what were then the French Protectorate of Cambodia and Siam (Thailand). Early maps drawn by the colonial regimes showed the temple and surrounding territory as belonging to what is present day Cambodia. However, in post-WWII decades Bangkok not entirely unreasonably insisted that colonial maps were not a

valid source of territorial claims. On that basis, the most recent serious crisis began to unfold in 2008 and incrementally worsened until a hitherto undecided termination of conflict in 2011. The Preah Vihear temple became the site of the most significant inter-state military confrontation in Southeast Asia since the end of the Vietnam-Cambodia war in 1979.

In 1962 Phnom Penh referred their simmering dispute with Bangkok to the International Court of Justice (ICJ) in The Hague for clarification and received a ruling in its favour.[702] The ICJ awarded the temple itself to Cambodia, but omitted ruling definitively on the wider surrounding territory[703] claimed by both Bangkok and Phnom Penh on grounds of diverging interpretations as to the validity of historical documents.[704] Although it was a ruling that large parts of the extended Thai political and societal establishment had never been entirely content with, it was largely accepted by the Bangkok government and did not deter bilateral relations greatly over the following years. Thailand has at no point laid official claim to temple ownership, but the question as to the surrounding 4.6 km^2 territory remained unresolved and ambiguous. Access to the temple is complicated by geography and while there is easy access and direct transport links to the Thai side and temple visitors do not require any permission, Cambodian access is impeded by difficult terrain and until 2003 the lack of even as much as a road.

Tensions Escalate in the "Security Community"

Although the conflict was largely muted for several decades, an immediate crisis erupted in the aftermath of a Cambodian application to the United Nations, Educational, Scientific and Cultural Organisation (UNESCO) to list the temple as a World Heritage site. In July 2008 UNESCO approved Phnom Penh's application and listed the temple as an official UNESCO World Heritage under Cambodian ownership. Initially Bangkok had proposed a joint Thai-Cambodia listing, but after some

---

[702] International Court of Justice (1962): Reports of Judgments, Advisory Opinions and Orders, Case Concerning the Temple of Preah Vihear (Cambodia v. Thailand), Judgment of 15 June available: www.icj-cij.org, accessed: 12/06/2016.
[703] Strate (2013); (2015) for more detail on the historic significance of the temple and its territory.
[704] Strate (2013) for a historical account of the Franco-Siamese conflict and territorial losses of the Siamese under King Chulalongkorn.

negotiations with Cambodian leader Prime Minister Hun Sen, his Thai counterpart Samak Sundaravej supported Cambodia's unilateral UNESCO bid. In the context of a relatively minor matter and in anticipation of substantial investment opportunities as well as an arguably genuine interest in sound bilateral relations, PM Samak and his Foreign Minister Noppadon Pattama returned from a Phnom Penh trip in June that year with a joint communiqué in which Bangkok publicly endorsed Cambodia's bid. At that point, there was governmental consensus on the minor importance of the matter itself in the context of what was to gain.[705]

This endorsement enraged Thai nationalists and fatefully coincided with great domestic instability and turmoil. The Thai army, a traditionally influential institution in Thailand, publicly signalled readiness to become involved and block all access to Preah Vihear. Between 15 and 17 July 2008 both Thailand and Cambodia summoned troops at the border and the dispute gradually expanded from the temple itself to the border territory. According to the Cambodian ambassador to the United Nations (UN), on 15 July 50 Thai soldiers had entered the vicinity of the Keo Sikha Kiri Svara pagoda, located inside the disputed 4.6 km^2 and only several hundred metres from Preah Vihear. Allegedly, only two days later the number of Thai troops had increased to 480.[706] In a U.S. embassy cable to Washington published by *WikiLeaks*, Hun Sen pleaded with the seemingly powerless Thai government to take measures to ease tensions and requested Thailand to immediately withdraw troops encroaching on Cambodian territory. A request Thailand refused insisting that the area concerned was the sovereign territory of Thailand.[707] By early 2009 the area had become seriously militarised on both sides and strong bellicose rhetoric could be heard on both sides of the border. First shots were exchanged in late 2008 and again in April 2009, killing at least two Thai and two Cambodian soldiers and injuring several

---

[705] Interview with Thai Supreme Court Judges at the Supreme Court of Thailand, Bangkok, 21 January 2016.

[706] United Nations Security Council (2008): Letter dates 2008/07/18 from the Permanent Representative of Cambodia to the United Nations addressed to the President of the Security Council, available: www.repository.un.org, accessed 12/12/2015.

[707] U.S. embassy Phnom Penh cable (2008): Confidential Phnom Penh 000578, published as: Preah Vihear. Tensions still high as face-off continues, 17 July, WikiLeaks, available: www.wikileaks.org, accessed: 23/01/2016.

more. [708] The situation deteriorated further. Diplomatic ties were terminated, ambassadors recalled and then Thai Deputy PM Suthep Thaugsuban threatened to close the entire Thai-Cambodian border altogether. By mid-2009 the situation was such that a prolonged conflict was both entirely out of proportion in relation to the factual issue and unfortunately, all but inevitable.

After some calm, early 2011 saw a previously unknown escalation of violence and heavy border clashes between the two militaries that had by now been deployed for some three years. The sporadic but serious fighting that followed over the coming weeks left at least 16 people dead and many more injured. Some 100,000 civilian village dwellers on both sides were reported to have fled their homes, becoming internally displaced.[709] Indicative of the severity are confirmed allegations levelled against Thailand that it employed cluster bombs, banned under the UN Convention on Cluster Munitions by 108 countries. A claim not rejected by Bangkok.[710]

Internationalising the Issue

In observance of TAC and Charter requirements, the Cambodian and Thai governments held a number of meetings at different levels in an effort to reduce the tension bilaterally, but failed. After Hun Sen's appeal to the Thai government to withdraw troops was to no avail and tensions seemed to spiral out of control, Cambodia, as the militarily weaker warring party, tried to internationalise the conflict and appealed to both ASEAN and the UN. Confronted with ever increasing militarisation and tensions along the border, on 21 July 2008 Cambodia informed Singapore, at that point ASEAN Chair, of the situation and requested ASEAN assistance. Several days following the first military mobilisation around and inside the temple Singapore was due to host the 41st ASEAN Ministerial Meeting (AMM). Critically for Hun Sen, it was only days before Thailand would assume the rotational ASEAN Chairmanship. At the meeting, Cambodia proposed ASEAN involvement to

---

[708] *BBC News* (15 Oct, 2008): Gunfight on Thai-Cambodian border; *BBC News* (3 Apr, 2009): Clashes on Thai-Cambodian border.
[709] *The Guardian* (29 Apr, 2011): Thai-Cambodian border clashes break brief ceasefire as death toll rises; *CNN* (26 Apr, 2011): Tens of thousands flee Thai-Cambodian clashes, Thailand says.
[710] *BBC News* (6 Apr, 2011): Thailand admits cluster bombs used against Cambodia; *Reuters* (6 Apr, 2011): Thailand used cluster bombs in Cambodia – campaigners.

facilitate a peaceful settlement, but the joint communiqué of 21 July does not include any reference whatsoever to the issue. [711] Precisely, Cambodia wanted Singapore to initiate and host an ASEAN Contact Group (ACG) to find a peaceful resolution. In response the Singaporean Foreign Minister George Yeo urged both sides to resolve the matter in the spirit of solidarity, but communicated that the ASEAN foreign ministers felt the issue should be dealt with bilaterally. Presumably, no consensus could be reached with Thailand not wanting to multilateralise the conflict. Although not evident at that time, subsequent events evidenced that in particular the Thai Ministry of Foreign Affairs had at all times insisted on a solution through negotiations under the framework of Thai-Cambodian bilateral relations. Thailand was adamant '*this issue should not be internationalized nor raised within the ASEAN framework as agreed to by both countries*.'[712]

In his capacity as AMM Chair, Yeo informed Cambodia that the establishment of an ACG had been rejected, but reiterated his appeal to both sides to act amicably in the spirit of solidarity and exercise utmost restraint. Under current circumstances neither ASEAN, nor any AMS would become involved, Yeo stated, but both parties were free to call on ASEAN again to facilitate a distinctively bilateral dialogue.[713] At the same time, Yeo confirmed that there was agreement within the AMM that Cambodia ought to refrain from taking the issue anywhere beyond Southeast Asia, such as to the United Nations Security Council (UNSC), as this would cause harm to ASEAN's reputation and may even impede long-term conflict resolution.[714]

ASEAN assistance was also sought in 2009, but in the light of the Thai chairmanship Cambodian expectations could presumably not have been high. And indeed the joint communiqué of the 42nd AMM, held in Phuket, would refer to number of regional

---

[711] Joint communiqué of the 41st AMM, Singapore, 21 July 2008, available: www.asean.org, accessed: 07/06/2016.
[712] Ministry of Foreign Affairs of Thailand (13 Oct, 2009): Press Releases: Ministry of Foreign Affairs clarifies misquote on Thai-Cambodian border issue, available: www.mfa.go.th, accessed: 07/01/2016.
[713] United Nations Security Council (2008): Letter dated 22 July 2008 from the Permanent Representative of Thailand to the United Nations addressed to the President of the Security Council, Annex 1, available: www.repository.un.org, accessed: 13/12/2015.
[714] United Nations Security Council (2008): Letter dated 22 July 2008 from the Permanent Representative of Thailand to the United Nations addressed to the President of the Security Council, Annex 2, available: www.repository.un.org, accessed: 13/12/2015.

security threats, but failed yet again to mention even in a single reference the Thai-Cambodian conflict that was unfolding. The same applies to the Chairman's Statement of the subsequently held 16th ASEAN Regional Forum (ARF) meeting.[715]

But 2009 was also the year of the non-ASEAN, 21st APEC Summit taking place in Singapore. Although in theory not the right forum to address ASEAN internal security issues, both Thailand and Cambodia must have thought this Singapore meeting an auspicious opportunity for discussions. At the sidelines of the Summit, Indonesian President Susilo Bambang Yudhoyono met his Thai and Cambodian counterparts and respective foreign ministers in an effort to mediate. Perhaps to the dismay of Cambodia, Yudhoyono stated that, as was the case in the previous year, ASEAN leaders preferred not to get the association involved, or in fact internationalise the issue at all. Yudhoyono made it clear that in his opinion

> *there are still opportunities for Thailand and Cambodia to solve their border issue bilaterally […] it's better for the two leaders to overcome the problem bilaterally without bringing it to an ASEAN forum or to make it an international issue because it would not be good for ASEAN as a whole.*[716]

He did however instruct his new foreign minister, Marty Natalegawa to continue this act of informal shuttle-diplomacy and serve as ad-hoc mediator between the two parties. Unfortunately, no substantial progress could be made. In particular Bangkok still rejected multilateralisation and, perhaps sensing ASEAN's uneasiness, insisted on and referred to the sanctity of the non-interference.[717]

On 14 August 2010, in the midst of intense political unrest in Bangkok, Cambodia again requested that Vietnam, as ASEAN chair, invoked Charter mechanisms of good office provisions, which would allow ASEAN to mediate in the dispute. Hun Sen insisted that given the severity of the conflict *'[w]e need to resort to multilateral mechanisms. We call upon the ASEAN member countries, the UN and other countries'*.[718] After the Chair consulted with Thailand and the latter refusing to give

---

[715] Joint Communiqué of the 42nd AMM, 20 July 2009; Chairman's Statement 16th ARF, 23 July 2009, both available: www.asean.org, accessed: 12/06/2016.
[716] *Jakarta Globe* (17 Nov, 2009): Solve Thai-Cambodian Dispute Bilaterally: SBY.
[717] Sokbunthoeun (2009).
[718] Quoted in International Crisis Group (2011): 15.

consent, Vietnam decided to take no further action. For the time being, no ASEAN support was to be expected.

Frustrated by the lack of bilateral or ASEAN-based progress, Cambodia proceeded to the UNSC on 7 February 2011. At a time when the situation had spiralled out of control, cluster-bombs were allegedly being used and several military and civilian battle-deaths became known, Hun Sen asked for UN peacekeepers to be deployed along the border to establish and safeguard a buffer zone. Thailand refused to accept UN intervention and remained yet again true to its position that conflict ought to remain a bilateral matter.[719] Yet, in spite of Thai opposition, the UNSC seized the issue and Indonesia's Marty Natalegawa and the foreign ministers of Cambodia and Thailand attended a special UNSC closed-door meeting on 14 February. The UNSC articulated its '*grave concern*' and urged a permanent ceasefire and a peaceful resolution through effective dialogue. In an unprecedented move and at a time of great tension, the UNSC directly referred the issue back to ASEAN by requesting Thailand and Cambodia to cooperate within ASEAN frameworks and by doing so, encouraged the association to step up to what was also its problem in its own backyard. The UNSC specifically asked Indonesia as the 2011 ASEAN Chair to continue and increase its mediation efforts. [720]

The ASEAN Charter allows the parties to a dispute '*to request the Chairman of ASEAN or the Secretary-General of ASEAN […] to provide good offices, conciliation or mediation*' and Marty Natalegawa, now endowed with an international community mandate, confidently went to Cambodia and Thailand on 7 and 8 February respectively in order to work out a strategy to implement the UNSC request. Marty Natalegawa successfully negotiated the convention of a special ad-hoc AMM, the Informal Meeting of the Foreign Ministers of ASEAN (IMAMM), on 22 February 2011 in Jakarta. In a statement before the UNSC in New York ahead of the IMAMM, Natalegawa articulated that based on the communications he had had with

---

[719] *Los Angeles Times* (8 Feb, 2011): Cambodia seeks U.N. help to halt battle with Thailand at ancient temple; *BBC News* (7 Feb, 2011): Cambodia calls for UN buffer zone at Thai border.
[720] *UN News Centre* (14 Feb, 2011): Security Council urges permanent ceasefire after recent Thai-Cambodia clashes, available: www.un.org, accessed: 10/05/2016.

Cambodia and Thailand, he believed that ASEAN could achieve three basic objectives at the meeting. First, an ASEAN call on the warring parties to continue to commit to the peaceful settlement of disputes and renunciation of the use and threat of the use of force, as requested by TAC and Charter; second, active ASEAN support to ensure a ceasefire by enhancing communication; third, an ASEAN facilitation of efforts to ensure a conducive climate for the resumption of bilateral negotiations.[721] This could rightly be hailed as a surprising breakthrough for both the warring parties and ASEAN as an organisation.

Surprisingly, both Cambodia's Foreign Minister Hor Namhong and his Thai counterpart Kasit agreed in Jakarta not only to respect a negotiated ceasefire, but also to accept civilian Indonesian observers (read: not peacekeepers) in the conflict zone. The IMAMM statement following the meeting reveals that Cambodia and Thailand had committed to hold high-level military to military talks and subsequently invited the Indonesian observers to

> *to assist and support the parties in respecting their commitment to avoid further armed clashes between them, by observing and reporting accurately, as well as impartially on complaints of violations and submitting its findings to each party through Indonesia, current Chair of ASEAN.*[722]

Consequently, Indonesia was expected to dispatch 30 unarmed observers to the disputed border area in what then ASG Surin Pitsuwan called a historic day for ASEAN. Although both governments had agreed to the plan at the meeting, one month later the Indonesian Foreign Ministry admitted that the process had stalled and Thailand's powerful Army Chief Prayuth Chan-ocha had apparently defiantly and successfully overruled the agreement by denying access to Indonesian observers. Prayuth rejected any such deployment and would, as he said, not allow outside interference into what was a strictly bilateral matter. [723] Supposedly, as Pavin Chachavalpongpun has argued, in the light of substantial domestic political change

---

[721] Statement by H.E. Dr. R.M. Marty M. Natalegawa, Indonesian Foreign Minister, Chair of ASEAN, Before the UNSC, New York, 14 February 2011, available: www.asean.org, accessed: 15/06/2016.
[722] Statement by the Chairman of the Association of Southeast Asian Nations (ASEAN) following the Informal Meeting of the Foreign Ministers of ASEAN, Jakarta, 21 Feb 2011, available: www.asean.org, accessed: 12/06/2016.
[723] *The Jakarta Post* (25 Mar, 2011): Thai politics may derail RI leadership.

taking place in Thailand, the traditionally influential Thai military wanted to retain foreign policy authority and influence.[724] Prayuth was therefore unlikely to ever accept external oversight, drawn up and agreed to by politicians without military participation.

In a final internationalisation attempt, during heavy fighting on 28 April 2011, Cambodia's government once again appealed to the ICJ asking for clarification of the 1962 ruling and an unambiguous verdict as well as an immediate withdrawal of Thai troops in order to end all military activity in the temple's vicinity. The Thai government rejected ICJ jurisdiction considering an appeal inappropriate, for Bangkok regarded itself not in violation of the 1962 decision. The Hague issued a preliminary decision on 18 July 2011 and ordered both countries to immediately withdraw troops and devised a provisional demilitarised zone. The final and unanimously issued ICJ ruling of 11 November 2013 commanded maintenance of the demilitarised zone and affirmed its 1962 decision, awarding sovereignty over the temple and surrounding areas to Cambodia, but also granted some territory to Thailand. It omitted ruling on some areas where it found it had no jurisdiction. As for the military, the court unanimously declared that '*Thailand was under an obligation to withdraw from that territory the Thai military or police forces, or other guards or keepers, that were stationed there.*'[725] Judges also encouraged the two AMS to continue cooperation within ASEAN channels and implement the Indonesian observer agreement and to ensure unimpeded access to the temple. Essentially, due to the residual ambiguity, both sides can claim at least a partial victory to their respective domestic audience and neither government challenged the ruling.

Since then, the situation has been deescalated as both governments publicly welcomed the ruling and agreed to cooperate in order to keep the border peaceful.[726] Bilateral relations have since improved under Thai Prime Minister

---

[724] Quoted in: *DW Diplomacy* (25 Mar, 2011): Indonesia's role in the Thai-Cambodia border dispute still unclear.
[725] ICJ (2013): Request for interpretation of the judgement of 15 June 1962 in the case concerning they Temple of Preah Vihear (Cambodia v. Thailand), Judgement off 11 November 2013, available: www.icj-cij.org, accessed: 12/06/2016: Paragraph 108.
[726] *BBC News* (11 Nov, 2013): Preah Vihear temple: Disputed land Cambodian, court rules.

Yingluck Shinawatra and more recently under a diplomatic charm offensive led by the Thai junta government that ousted her in 2014. It appears that for the time being, the Cambodian and Thai governments have found an uneasy modus vivendi, having decided not to mention this sensitive matter; a situation that may persist for some time. Promising bilateral signs included now Thai Prime Minister General Prayuth's visit to Cambodia in October 2014, yielding progress on economic and tourism cooperation.[727] At the time of writing, there had been no serious further clashes since 2011.

Military Means for Domestic Ends in a Community of Caring Societies

Most obtrusive is the question why and how a conflict over an issue of arguably limited significance could escalate to the degree it did. This escalation cannot be understood without the context of underlying domestic motives in both Bangkok and Phnom Penh.[728] The conflict occurred at a time of deep domestic political crisis in Thailand while across the border Hun Sen was about to hold an election to extend and cement his already decades long stronghold on power. Although mostly muted for several decades, the temple and its surrounding area had occasionally been used to stir nationalist sentiments for domestic political ends. In particular in Bangkok had the 2008 UNESCO World Heritage decision inadvertently increased political commotions that had been boiling for several years and the conflict over Preah Vihear became heavily politicised. On 23 December 2007 the first general elections were held since the military ousting of former Prime Minister Thaksin Shinawatra and the official ban of his Thai Rak Thai Party (TRT), Thailand's hitherto largest political party. The Thai Supreme Court banned not only Thaksin himself but also other leading party figures from political office. However, some former members regrouped and founded the People's Power Party (PPP). Under the leader Samak Sundaravej, the PPP contested the 2007 elections and just like its predecessor under Thaksin, it won the democratic contest decisively, commanding strong support in Thailand's poorer rural north. Especially the staunch anti-Thaksin political movement

---

[727] Raymond (2014); *Bangkok Post* (30 Oct, 2014): Thailand, Cambodia to boost tourism.

[728] Wagener (2011) for a good insight into domestic political motives for what he terms "low-intensity border conflicts".

People's Alliance for Democracy (PAD), better known as "yellow shirts" accused Samak's PPP government of being not more than a Thaksin-proxy regime. Samak did not much to deter this notion. While the leader of the PPP's major rival the Democrat Party (DP), Abhisit Vejjajiva said his party would accept the result and form the opposition, Samak claimed to have spoken to the exiled Thaksin immediately and extended Thaksin's congratulations to this '*victory for all Thai people who unreasonably lost their freedom on 19 September*.'[729] Subsequently he invited the former prime minister back into the country.

In that context Samak and his Foreign Minister Noppadon Pattama returned from the fateful trip to Cambodia in June with a joint communiqué officially endorsing Phnom Penh's UNESCO bid. The PAD had hitherto failed to topple Samak. The communiqué however presented them with a new, promising opportunity and in Thailand's highly factionalised post-coup political landscape in particular the PAD utilised the Cambodian border conflict to undermine the Samak government. A well organised anti-Thaksin grouping, consisting of ultra-royalist and nationalist Bangkok residents, upper-class Thais, and some anti-Thaksin factions in the South of Thailand, the PAD also had strong connections to the Thai military, DP leaders, and much of the country's business community. Thaksin's TRT and its successor PPP drew their strength from Thailand's majority of mostly northern peasants and the working class. Campaigning on a strong nationalist platform, PAD figures argued that this communiqué would weaken Thailand's claim to the temple and more importantly, the surrounding territory in future negotiations. The PAD realised that the ambiguous territorial situation around the Preah Vihear temple could be exploited in a country where nationalism is a cherished principle in everyday life.

Months of political unrest in Bangkok followed, including riots and the siege of much of Thailand's infrastructure by the PAD and thousands of mobilised yellow-shirted supporters. The PAD and DP initiated numerous attempts to topple the elected Samak government. In fact domestic turmoil in Thailand was such that the 14th ASEAN Summit, originally scheduled for December 2008 was postponed to 28

---

[729] *BBC News* (23 Nov, 2007): Thaksin ally wins Thai election.

February 2009 since ASEAN felt that under current circumstances, including declaration of martial law, the Thai Chair was unable to host a peaceful and productive Summit.

In September Thailand's Supreme Court found Samak guilty of peculiar and dubious corruption charges and terminated his premiership after he had appeared on a Thai TV cooking show. Somchai Wongsawat, Thaksin's brother-in-law, succeeded Samak. This even worsened yellow-shirt resentment and led to further PAD initiated political riots in Bangkok, including in blockade of government buildings, the parliament, and Bangkok's main airport. After weeks of serious opposition protests the Supreme Court also dissolved the PPP and several other parties and banned a number of elected parliamentarians including Somchai himself from office. In that context, without calling an election, the decimated and under-pressure Thai parliament chose DP leader Abhisit as Prime Minister on 15 December 2008.

Southeast Asia historian Shane Strate explains that successive Thai administrations managed to construct a national historical narrative that he calls the "national humiliation narrative". Historically at best inadequate, this narrative associates Preah Vihear and the surrounding area with the territories lost mostly under Thai King Chulalongkorn during French and British colonial rule in Indochina and Burma and with the ostensible betrayal inflicted on Thailand by U.S. anti-communist campaigns in Indochina.[730] Strate argues that this intrinsic national narrative of unfair treatment conserves a perception among Thai society that the Thai motherland is under constant threat from the enemies of Thailand, both from abroad and even more crucial from within Thai society. In such an environment, Thai citizens must demonstrate "Thainess" by standing united behind strong leadership in Bangkok.[731] This narrative and with it Preah Vihear continues to resurface if political forces regard it as opportune to stoke nationalism in a country where generations of people have learned that massive chunks of territory had allegedly been unfairly conceded during colonial times.

---

[730] Strate (2015), in particular chapter 1 and 2 for the Franco-Siamese treaties and chapter 5 for the role of the national humiliation narrative in the Thai-Cambodian conflict erupting in 2008.
[731] Strate (2015): 12f.

Apart from capitalising on the strong sense of Thai nationalism and historical humiliation the PAD also accused the Samak government of virtually "selling the motherland" to the Khmer enemy.[732] Without having substantial evidence, PAD populists claimed that the alleged Thaksin puppet regime of Samak had now traded the temple and the 4.6 km^2 of territory in exchange for business deals between Thaksin and Cambodian Prime Minister Hun Sen and thereby forfeiting Thai dignity as well as territorial integrity. They also dismissed the impression held among some observers that this move was part of an attempt to improve socio-cultural and economic ties between the Southeast Asian neighbours who have long had a difficult relationship.[733] Nonetheless, not least due to greater influence with the Bangkok establishment including the main media outlets, the PAD managed to monopolise the discourse to an extent that the allegations against the government became almost universal "knowledge" and galvanised even more people who took to the streets of Bangkok in fits of nationalist outrage. Yellow-shirted PAD supporters demonstrated in front of the Ministry of Foreign Affairs and the government. PAD populists formed a protest coalition together with the DP and further mobilised ever more yellow-shirts in order to exert overwhelming pressure on the Thai government to act swiftly and harshly.[734] On 10 July 2008, Thai Foreign Minister Noppadon resigned over the communiqué.[735] The PAD had filed a legal case against Noppadon at the Thai Supreme Court, accusing him of bypassing parliament and with it the Thai people by agreeing the Thai- Cambodian communiqué, which they claimed ought to have passed through parliament beforehand. The Court ruled eight-to-one that Noppadon had indeed violated Article 190 of the 2007 Thai constitution and Noppadon, facing an impeachment hearing in parliament, chose to jump before being pushed and resigned. [736]

---

[732] Pawakapan (2013): 2.
[733] Pawakapan (2013): 4.
[734] Chachavalpongpun (2014): 259ff; International Crisis Group (2011): 6ff.
[735] *Reuters* (10 Jul, 2008): Thai foreign minister quits over temple row.
[736] Interview with two judges of the Supreme Court, Division Supreme Court for Persons Holding Political Positions, 2 February 2016, Supreme Court of Thailand, Bangkok.

The relationship between Thailand and Cambodia deteriorated further when the Abhisit became Prime Minister in December 2008. Equally opposed to Thaksin and his allies, DP politicians had engaged in the same nationalist discourse. As opposition leader Abhisit had unreservedly agreed with the PAD on the Preah Vihear temple and surrounding territory and had used similarly strong anti-Cambodian rhetoric. Not only had a number of DP figures insulted Hun Sen personally. In October 2008, shadow deputy PM Kasit Piromya called Hun Sen a *kui ba* (an insulting term in Thai, roughly translating as gangster or vagabond) and a slave of Thaksin on Thai television. The DP also invoked the notion of the Khmer enemy of Thailand and the Thai people. Abhisit himself maintained that the Thai people had never accepted the ICJ decision of 1962 and Thailand should appeal the verdict. According to Pavin Chachavalpongpun, this was calculated populism in order to satisfy nationalistic needs of the anti-Thaksin coalition in order to destabilise the sitting and elected government. [737] Sensing success, Abhisit reassured the PAD that under his DP government Bangkok would not give in to Cambodia.[738] Upon Samak's resignation and subsequent failure of the PPP to remain in power following court orders, the DP managed to form a government. It was however lacking a popular mandate and legitimacy in a context of a highly unstable Thai polity. As Prime Minister then, Abhisit saw himself forced to continue his populist nationalist attitude and tough stance on both Cambodia in general and the temple issue in particular. Not least due to his populist rhetoric his popularity rating more than doubled during 2009.[739] Abhisit's opposition to ASEAN or any external involvement as described above ought to be seen in this context. His fragile government needed to retain support from Thai nationalist forces, in particular the military establishment but also the yellow-shirts whose protests had allowed the DP to assume power in the first place. The 2011 election brought the 3rd edition of Thaksin affiliated parties Pheu Thai Party (PTP) to an absolute majority under the leadership of Thaksin's sister Yingluck and ended the

[737] Chachavalpongpun (2010); (2012).
[738] Pawapakan (2013b): 8.
[739] Pawapakan (2013): 72.

immediate political crisis in Thailand – at least temporarily until the renewed military coup in 2014.

In Cambodia too, the temple had long been used as a nationalist, anti-Thai symbol. When the Thai military occupied the temple in the aftermath of World War II, Prince Sihanouk responded by suspending diplomatic ties with Thailand. He launched an anti-Thai campaign and encouraged Cambodians to demonstrate outside the Thai Embassy. Regaining sovereignty over the temple became an important part in Sihanouk's nationalist agenda.[740] Stoking anti-Thai resentment and xenophobia is as easy in Cambodia as stoking anti-Khmer resentment is in Thailand. In 2003 for instance the Cambodian media incorrectly reported that a famous Thai actress had claimed that the great Cambodian temple ruins of Angkor Wat in fact belonged to and should be taken over by Thailand. This led to riots with demonstrators gathering outside the Thai embassy and eventually burned the building. It also led to violent attacks against Thais and Thai-run businesses in Phnom Penh.[741]

At the time when the conflict erupted, Cambodia was about to hold an election on 27 July 2008 and Cambodian strongman and long term Prime Minister Hun Sen fought a tough and as usual dubious general election campaign in order to extend his more than two decades in power. Hun Sen had used the UNESCO World Heritage listing in order to increase his popularity and promised things such as increasing tourism in the run-up to the elections. During the crisis, he rallied populist nationalist support by taking a firm stance on the issue in order to demonstrate both his strength and very own nationalism to his people. Wagener has argued that it was no coincidence that the Cambodian rhetorical build-up intensified immediately before the election. Hun Sen styled himself as the defender of the cultural claims of the Khmer people. He also intended to significantly increase Cambodia's military expenditure and wanted to divert attention from the questionable and widely criticised Khmer Rouge trials that were taking place at that time.[742]

---

[740] Strate (2013): 53.
[741] *The Economist* (30 Jan, 2003): Whose Angkor Wat?
[742] Wagener (2011): 39f.

The Prime Minister (PM) gained great approval for taking a tough stance vis-à-vis Thailand and observers and analysts noted that the Cambodian people were significantly more concerned with the border conflict then with the at least questionable electoral process in Cambodia that regularly promises Hun Sen the office, and seemed to overlook a great number of other domestic challenges.[743] Elections resulted in yet another sweeping victory for the ruling Cambodian People's Party (CPP) with Hun Sen as its leader. It won 90 of the 123 seats, a 20% increase from the previous election[744] and the biggest winning margin since the first critical post-civil war 1993 elections of modern Cambodia. The CPP had used the UNESCO approval as evidence for Hun Sen's charismatic, skilful leadership and pushed poor governance performance into the background by utilising Cambodian nationalism versus Thai aggression. Hun Sen continued his tough rhetoric calling the temple site a '*life-and-death battle zone*' and promising that Cambodia would not accept Thai encroachment on Cambodia territory and set an ultimatum for a complete Thai withdrawal.[745]

The Cambodian PM missed no opportunity to aggravate Thai antagonism even further. In 2009 Hun Sen provocatively appointed Thaksin himself as economic advisor, instead of following a Thai request to extradite him. Of all places to make this public knowledge, Hun Sen chose to announce the appointment at the 15th ASEAN Summit on 23 October 2009 in Hua Hin, Thailand, knowing that in the context of the deeply divided Thailand, in the grip of serious political unrest, this would clearly force Bangkok to respond. Certain enough, this caused great dismay within the DP government. Not only was there an official arrest warrant against Thaksin on corruption charges, the fugitive former Thai prime minister had extensive knowledge as to Thai political processes and the military machinery.[746] The appointment was a move that Thailand, in its current state of domestic turmoil, could not possibly ignore and Hun Sen's flat out refusal to extradite Thaksin led to both countries

---

[743] Thayer (2009).
[744] *The Economist* (31 Jul, 2008): Stability, sort of. After dirty election the PM tightens his grip.
[745] *New York Times* (14 Oct, 2008): Clash averted on Thai border.
[746] Singhaputargun (2016): 123f.

breaking off diplomatic ties.[747] Not unjustified, Thai Foreign Minister Kasit called it '*intentionally provocative and interference in Thai politics*.'[748] Hun Sen's undiplomatic move was at least partly caused by the substantial verbal attacks from Thailand and the increasing row between the Hun Sen and Abhisit government. But more importantly, as Pavin Chachavalpongpun suggested, Hun Sen realised that Thaksin, a long-term business partner, commanded loyalty among Thailand's majority of mostly rural farmers and the non-Bangkok working class. Discrediting the Abhisit regime and support for Thaksin was in Hun Sen's long-term interests. Hun Sen called Thaksin his friend and even compared him to Aung San Suu Kyi. He also offered his moral support to the so called "red shirts" in Thailand that had formed in opposition to their yellow counterparts.[749] Hun Sen went on accusing the DP of having stolen power from the democratically elected PPP. He arguably believed it to be in Cambodia's interest to support the red-shirt faction and Thaksin allies, as Hun Sen perceived a permanent DP government as unlikely. In February 2011, in the midst of increasing tensions along the border, a Cambodian court sentenced two Thai PAD nationals to eight years in prison for espionage.[750]

Supply and Demand. How Much "S" and "C" in APSC?

Arguably above all else, the "SC" in the APSC demands non-violence. ASEAN set out to establish

> *a peaceful and stable Southeast Asia where each nation is at peace with itself and where the causes for conflict have been eliminated, through abiding respect for justice and the rule of law […] Southeast Asia where territorial and other disputes are resolved by peaceful means.*[751]

In a security community members in general have '*come to an agreement on at least this one point: that common problems must and can be resolved by processes of*

---

[747] Diplomatic Note of the Cambodian Ministry of Foreign Affairs to the Thai embassy in Phnom Penh, 11 November 2009, available: www.cambodianconsular.wordpress.com, accessed 15/06/2016.
[748] Quoted in International Crisis Group (2011): 12.
[749] Chachavalpongpun (2012): 91f.
[750] *BBC News* (1 Feb, 2011): Cambodia finds two Thai nationalists guilty of spying.
[751] ASEAN Vision 2020 (1997): op. cit.

peaceful change'.[752] Certainly this is meant when ASEAN speaks of itself as a '*concert of Southeast Asian nations*' that '*resolves differences and disputes by peaceful means, including refraining from the threat or use of force*'.[753]

Subsets to this are somewhat loftier expectations of a community evincing a shared identity, a we-feeling across ASEAN and its peoples. At the 14th Summit in 2009, ASEAN defined its security community pillar (APSC) as a '*rules-based […] community bound by fundamental principles, shared values and norms',* embracing '*the values of tolerance and moderation, and share a strong sense of togetherness, common identity and destiny.'*[754] Asia-constructivists such as Acharya have identified ASEAN as a nascent security community on an upward trajectory.[755] We do now know that at the nascent stage a community begins to cooperate in order to increase security and that although some intramural rivalry and competition may persist, this is expected to be muted by the onset of a common identity and a realisation of shared security interests and collective security cooperation. We should therefore expect the "C" to be evidenced by signs of a shared identity as well as a regulating, or at least mediating role for the organised collective. Yet, the way this dispute unfolded beckons two fundamental questions. First, can the APSC be considered a security community at all if members employ military means and readily sacrifice regional integration for the sake of domestic posturing? Second, how meaningful is the APSC and its institutions if ASEAN is intentionally immobilised and marginalised at the sidelines? In order to appraise ASEAN's security community quality, this case study designed three benchmarks and corresponding KPIs, which in their sum ask two critical questions: Does ASEAN have security?; and is ASEAN a community?

Dependable Expectation of Peaceful Change – Not Met

The benchmark of *dependable expectations of peaceful change* had been identified as the fundamental security community characteristic and ASEAN has itself declared as such. Asia-constructivist have as well, although less emphatically. This benchmark

---

[752] Deutsch et al. (1957) op. cit.
[753] ASEAN (1997); (2015) op. cit.
[754] APSC Blueprint 2025 (2015): op. cit.
[755] Acharya (2014).

is therefore grounded on the contention that it is indeed reasonable to ask to what extent war has become inconceivable in Southeast Asia, replaced in favour of habitual non-violence in fulfilment of the Treaty of Amity and Cooperation (TAC) requirement not to '*in any manner or form participate in any activity which shall constitute a threat to the political and economic stability […] of another [signatory]*'?[756] KPIs were set as the measurable extent to which violence has either been absent or occurred and to whether or not progress of human development has been interrupted by military activity.

As far as the fundamental ultimate requirement of non-violence is concerned, the verdict is fairly easy. The turn into a hot – albeit limited – conflict violates the primary security community principle as well as ASEAN's very own principle of non-violence and peaceful dispute settlement, which have become the fundamental dogma of not only the APSC pillar but all of ASEAN. Ever since 1967 ASEAN's main achievement has been that no armed conflict has taken place between AMS. Until 2008 one could have reasonably argued that ASEAN indeed fulfils the main security community prerequisite of non-violence. When for instance Vietnam invaded Cambodia in 1975, neither were AMS and although Hanoi's decision could be interpreted as a significant security threat to ASEAN, it was in its final consequence an external matter. Perhaps, one could have been forgiven for believing that after more than four decades of security integration, there really were dependable expectations of peaceful change among ASEAN leaders.

Although largely ignored in the Asia-constructivist literature, I argue that the year 2008 changed everything for the APSC. It did so because this conflict was not just about historic Thai-Khmer animosity. Nor was it simply about domestic political positioning. It is much more than that, for events in that year question ASEAN's very raison d'être, its security relevance. It challenged the basic substance of the APSC and thus, the entire integration project that is the ASEAN Community (AC15). The grouping has tireless reiterated the utmost necessity, even legal requirement to ensure that political disagreement must occur under the provision of non-violence

[756] TAC (1976) op. cit.

and no intra-ASEAN relations may involve the use or threat of force. Asia-constructivists have gone further and declared it a full security community, the reason for the "long peace" of Southeast Asia.[757] It is curious to note that as late as 2011, discussing the challenges to ASEAN security, Acharya discusses the climate change threat in great detail over several pages, [758] but devotes a mere two sentences to the Thai-Cambodian conflict which, as he correctly observes himself, seriously challenges ASEAN's claim to be a security community.[759] Similarly, in 2014, Acharya acknowledges that ASEAN is no mature security community yet, but sees it at a nascent stage on an upward trajectory.[760] And although he devotes one entire chapter in his comprehensive book to intra-ASEAN security relations, he allocates a mere 12 lines to the Thai-Cambodia conflict.[761] This is most curious given that the topic of his book is ASEAN's security community qualities, based on norms, facilitated by identity. It is also indicative of one of this thesis' major hypotheses and accusations levelled against Asia-constructivists. Such incomprehensive selection of evidence casts serious doubts as to the validity of security community arguments by Asia-constructivists.

The above case study unequivocally evidenced that violence and military conflict has occurred between two members of the ostensible security community that is ASEAN. Both Thailand and Cambodia are not only ASEAN members (AMS) and thus, APSC members and ASEAN Charter signatories. They are also both contracting parties to the TAC, which remains in force to this day and is in fact even constantly reinforced. Initiated by ASEAN, the TAC's primary universal principles of peaceful coexistence and friendly cooperation in the settlement of conflict,[762] is violated by two AMS. Between 2008 in 2011 several undertakings and activities have taken place that contradict the dependable expectation of peaceful change set by Deutsch. First, initial preparations for war took place when between 15 and 17 July 2008 both

---

[757] Kivimaki (2014).
[758] Acharya (2011): 11ff.
[759] Acharya (2011): 5.
[760] Acharya (2014): 264.
[761] Acharya (2014): 127.
[762] TAC (1976): Preamble.

Thailand and Cambodia summoned troops at the border. Within two days, the number of Thai troops increased tenfold and expanded from the temple itself outwards into surrounding territory. By early 2009, the area had become seriously militarised on both sides, strong bellicose rhetoric was publically perceptible in either country and diplomatic ties were terminated. Second, outright military engagement occurred. First military exchanges occurred in late 2008 and again in April 2009, the situation escalated further in 2011. Those included use of cluster ammunition and resulted in casualties estimated to be between 25 and 40 directly battle related deaths as well as tens of thousands displaced villagers. Thirdly, events, rhetoric, and suspension of diplomatic cooperation meant that at no times during and after the conflict either government could reasonably rely on the premise of non-violence; that the respective other would not resort to the use or threat of force. As for human development, there can equally be no doubt as to a serious interruption of civilian life. According to some estimates the fighting displaced as many as 27,000 residents permanently and close to four times as many temporarily,[763] although it is hard to approximate and verify a realistic definitive count.

From the very beginning of ASEAN it declared itself to be the forum to create and maintain regional peace and stability. To this very day, ASEAN continues to reinforce and even build on this testament. But at what point exactly, one may reasonably ask, has the time come to stop declaring and start delivering? When can we assess whether or not ASEAN has been successful as a security community if each successive document elaborates in ever greater detail on its soon to be security community qualities? Asia-constructivists may respond that this conflict predates Cambodia's admission to ASEAN by decades, perhaps centuries and may not be an ASEAN matter. Alternatively, in particular Acharya could argue this war may be a "decadent" element within a nascent security community, for the previously "unsocialised" Cambodia had recently entered ASEAN and tests the APSC to its

[763] *CNN* (12 Nov, 2013): Thai villagers return after verdict on disputed Preah Vihear temple.

limits;[764] i.e. a setback not disagreement with the concept. Both arguments are weak, though. The conflict erupted due to contemporary dynamics, not ancient history. Secondly, it was shown above that Thailand is at least as much to blame for escalation as Cambodia, perhaps more. Equally unconvincing is the claim that this was a clash or a skirmish rather than war. Kivimaki for instance insinuated that according to the Uppsala criteria this conflict simply never was one.[765] In a personal discussion, Amitav Acharya articulated the same objection to classifying this as a conflict capable of negating the security community provision due to Uppsala criteria.[766] This however is at best a statistical exercise and although quantitatively correct, does not do the severity of the conflict justice. In fact one wonders whether this particular argument is determination and attempt to vindicate a theoretical argument at the expense of empiricism and prudence. This confirms one of this thesis' main accusations against Asia-constructivism, its ideological predisposition.

Hence, I content that in consequence, the conflict between Thailand and Cambodia undermined the very soul of the APSC. It has undone some major achievements of four decades of relative stability in a potentially instable region and unambiguously evidenced that ASEAN is no security community. Whatever security community notion one puts to the test, this case study demonstrated that the explicit commitment to non-violent conflict settlement cannot be taken for grated within ASEAN. The members of the APSC do not appear to have '*come to an agreement on at least this one point: that common problems must and can be resolved by processes of peaceful change.'*[767] Logically, this allows for two conclusions; either ASEAN is not a security community, or there are antecedent conditions in intra-ASEAN relations that allow for some form of conflict among members without disproving security community notions.

With the "S" not having been substantiated, how about the "C"? Does ASEAN display a shared regional identity strong enough to satisfy community demands?

---

[764] Chapter 3 has introduced Acharya's provision for "decadent communities".
[765] Kivimaki (2014): 77 fn18.
[766] Personal discussion, 29 Feb 2016, Washington D.C.
[767] Deutsch et al. (1957) op. cit.

Identity – Not Met

The *identity* benchmark asked whether we could detect a common sense of belonging, evidence of we-feeling within ASEAN as the "real glue" binding AMS. Asia-constructivists such as Acharya explained the DV of an at least nascent, security community with the emergence of a shared identity. Some argued that since AMS '*had something more important in common - namely being a member of ASEAN*' and tended to act beyond narrowly defined national interests. [768] In other words, members of the APSC were capable and willing to act "value-rational", guided by intrinsic orientation on what is collectively appropriate. Beyond security and ever closer economic and socio-cultural links, building a strong regional identity to pave the way for deeper integration has been a long-term priority of community integration into AC15. This thesis has at all times acknowledged how hard an exercise measuring an ideational variable can be. In practical terms, the critical question is whether or not APSC members indicate orientation along convergent definitions of the common regional good, as Adler and Barnett have specified they ought to as a security community.[769] KPIs set for the identity benchmark included the incorporation of regional considerations rather than narrowly defined national interest in foreign- and security policy calculations. I also suggested that there should be evidence of a positive discourse towards fellow community members in accordance with Kupchan's model.

With the above case study in mind, one can assess the extent to which foreign policy decision-making was guided by appropriateness and value orientation in the context of regional versus strictly national parameters. The intention here is not to pass judgement on one side or another. Whereas some analysts see the responsibility mainly in Bangkok,[770] others have argued that Hun Sen is to blame for escalation.[771] The above suggests that populist factions in Thailand are as much to blame for escalation as Hun Sen's constant interference in Thai domestic politics. More critical

---

[768] Busse (1999) op. cit.
[769] Adler/Barnett (1998).
[770] Pawakapan (2013); (2013b).
[771] Wagener (2011).

to the research question is that ultimately both Thailand and Cambodia are guilty of grossly violating ASEAN traditions, challenging integration, and, under complete disregard of regional integration dynamics, both are equally guilty of exposing the APSC's ostensible spirit of a "community of caring societies" as at best feeble and at worst hollow rhetoric. Two APSC members have readily, knowingly, and without hesitation held hostage the entire regional integration and identity building process to domestic posturing and nationalism. Therefore, the identity benchmark has been missed.

In short order a minor dispute was turned into a significant military border conflict by national elites who showed no sign of "we", but revealed their "I", their nationalism as opposed to regionalism. Hun Sen for instance used the UNESCO listing to increase his popularity in the run-up to the 2008 elections in Cambodia and took a decidedly nationalist stance afterwards. The PM successfully utilised the conflict in order to present himself as the strong defender of Cambodian interests and on the frontline of the protection of the Khmer people. Hun Sen also inconsiderately violated one of the most important norms of the ASEAN way, non-interference into the domestic affairs of another AMS, by appointing Thaksin as his advisor. Although arguments have been made and appreciated that this was done to raise international awareness, Hun Sen also realised that his long-term business partner still commanded substantial loyalty and support among the mostly rural red-shirts in the north of Thailand. He considered support for Thaksin and the red-shirted movement to be in his long-term interests to discredit the loathed Abhisit government to which at that stage all bridges were burnt. Even worse, the hostility between the combatants was deliberately spilled over into the ASEAN arena. Choosing the 15th ASEAN Summit, fatefully held in Thailand, to announce this very provocative appointment was as irresponsible as it was against the spirit of the "community of caring societies". Hun Sen manipulated ASEAN and Southeast Asian regionalism in shrewd calculation, by involving the common regional organisation, the "community", in order to further his narrowly defined national and indeed personal ends. He thus ungrudgingly hijacked ASEAN regional meetings in order to conduct proxy warfare at the expense of ASEAN operability and unity, knowing that

this provocation would cause considerable disharmony within ASEAN. For the remaining AMS of course realised that ASEAN was being used as arena not only to fight out a bilateral dispute, but more critically for domestic political posturing. It is not without a hint of irony, that at the previous 14th ASEAN Summit only some seven months earlier, all AMS had unanimously agreed that they intended to be

> *[a] region that resolves differences and disputes by peaceful means, including refraining from the threat or use of force and adopting peaceful dispute settlement mechanisms while strengthening confidence-building measures, promoting preventive diplomacy activities and conflict resolution initiatives.*[772]

On the other side of the border, the Thai opposition in particular utilised the dispute just as thoughtlessly in order to topple an elected government and subsequently to consolidate their own hold on power. Thailand has been a highly divided nation for many years. At the same time, royalism and nationalism had been the two constant stable features in domestic politics. In particular since the advent of the TRT party and the Thaksin administration in 2001, opposition groups such as the PAD, have stirred up nationalism and utilised public national pride and royal devotion recklessly to discredit the government. [773] Additionally, territorial integrity is generally a sensitive issue anywhere in the world and easily utilised to that end. In 2008, the political struggle in Thailand's deeply divided polity produced an irredentist environment where ostensive threats to Thai territorial integrity and national pride connected with the monarchy were blown out of proportion by a political faction relying on the national humiliation narrative as identified by Strate.[774] In particular for the PAD the temple dispute was a mere populist means to the end of overthrowing the Thaksin-affiliated government in the aftermath of the 2007 election. Pavin Chachavalpongpun believes that the PAD used a military confrontation and anti-Khmer rhetoric in order to gain popular support at a time when the yellow-shirt movement was struggling to keep up the momentum of its

---

[772] ASEAN Community Vision 2025 (2015): Article 8.5.

[773] Interview with a local expert on Thai politics at a research institute in Bangkok; Interview, February 2016, German-Southeast Asian Centre of Excellence for Public Policy and Good Governance, Bangkok.

[774] Strate (2013); (2015).

anti-government demonstrations.[775] DP and PAD populists joined forces and utilised a historically inaccurate, nationalist narrative under total disregard of bilateral relations and regional stability in order to gain political capital, while weakening the Samak government. They tried to "prove" government failure by connecting the dispute of Preah Vihear ownership to purported allegations of corruption and anti-Thainess of an elected government in Bangkok, supposedly led by businessmen and proxy regimes. Yellow-shirt leaders would however step up and come to the rescue of the Thai nation and portray themselves as the saviours of the Thai tripartite of Nation, Religion, and Monarchy, battling those who sell out the Thai Kingdom. Subsequently, as Pawakapan has argued, the opposition would demand unrealistic governmental action in order to then claim ineffective government performance and unpatriotic, weak responses to Cambodian aggression.[776] It is one of the few cases in contemporary political history where a civil society organisation has been seriously detrimental to inter-state and intra-regional relations, provoking an armed conflict.

In an open letter, regional expert Lee Jones writes that the Abhisit administration came to power by '*naked manipulation of Thai politics by cynical political elites*', including manipulation of the judiciary which has '*clearly been used in a highly political fashion to dismantle the democratically elected government*' and '*create a lethal confrontation with Cambodia over Preah Vihear temple for purely domestic political reasons*'.[777] It is open for debate whether the DP government once in power as of December 2008, genuinely sympathised with the PAD position or had simply manoeuvred itself into a position in which aggressive nationalist populism was the only way to maintain a relatively stable government in an unstable country. In either case though, Bangkok readily sacrificed its relationship with a fellow APSC government in Phnom Penh for domestic political gains. Militarisation in 2008 and again in 2011 were irresponsible reactions to domestic pressure and subordinated the interests of regional peace and stability and intra-ASEAN understanding and integration to the dictates of domestic political posturing on both sides.

---

[775] Chachavalpongpun (2010): 92f.
[776] Pawakapan (2013): 86.
[777] *The Nation* (17 Mar, 2009): Letter of Lee Jones, researcher on International Relations of the Oxford University, to dean of St John's College.

On this basis, I strongly suggest that neither side has incorporated the greater regional good into their foreign- and security policy calculations. Evidently, narrowly defined national domestic interest prevailed. It is impossible to prove to what extent the impact of this deliberate escalation on ASEAN regional integration was even considered in Bangkok and Phnom Penh. But empiricism suggests that elites in neither country were capable or willing to act value-rational, guided by intrinsic orientation on what is collectively appropriate. One could even argue that Bangkok's initial endorsement of the UNESCO listing and the communiqué of the Samak administration represented an effort to bring bilateral, and with this regional relations to "a higher plane" as ASEAN had desired. In order to strengthen social and economic ties and bury past grievances between the two countries now bound in a regional organisation. Although allegations of corruption on part of Thaksin and Hun Sen and profitable business deals are not discarded here at all and may well be true, what matters is that the encouraging burgeoning spirit of regional solidarity easily collapsed with the involvement of an anti-Thaksin coalition. Until 2011, leaders of neither country ceased taking narrowly defined political advantage from the confrontation.

In the light of the Thai-Cambodian animosity and confrontational rhetoric, it is also hard to accept that ASEAN has indeed arrived at Kupchan's fourth and final phase of community formation. Evidence originating in statements from Bangkok and Phnom Penh suggest that "generation of new narratives and identities", characterised by a modification of the political discourse around former adversaries has not occurred. The national humiliation narrative has historically been exploited by successive administration in Thailand in order to maintain a popular perception of constant external threat in order to ensure internal national solidarity and support for a strong, central leadership in Bangkok. This narrative could easily be re-activated by the yellow-shirts and resurfaced quickly as soon as it was regarded opportune; shared Southeast Asian identity or not. This case study demonstrated that nationalism and bellicose rhetoric trumped efforts of good neighbourliness and a friendly disposition towards one another easily. Instead of the emergence of new narratives for a positive, cordial discourse, rhetoric was employed towards a

diametrically opposed means to a domestic end. Not only the populist PAD employed nationalist xenophobia and anti-Khmer propaganda against the "enemy" in Phnom Penh. The parliamentary opposition and subsequent DP government also did. DP leaders stocked populist resentment and even personally insulted Hun Sen. Once in power, Abhisit did not undertake any efforts to calm the domestic discourse in order to mend ties with Cambodia. Hun Sen himself also publicly announced that he considered the Abhisit government, unlike his own, to be an undemocratic regime.[778] He directly criticised Thailand's political instability and the yellow-shirted failure to achieve internal political reconciliation and suggested that this political bickering would render Thailand unfit to assume its ASEAN Chairmanship duties as of 2008.[779]

I suggest that the identity benchmark, in spite of some promising signs in the Thaksin years, could not be met. The "real glue" binding AMS is illusive. If AMS have indeed realised that they have '*something more important in common - namely being a member of ASEAN*', [780] word has not yet spread to Bangkok or Phnom Penh.

Conflict Mediation – Partially Met.

This final benchmark now assesses the extent to which ASEAN can function as a meaningful forum in case of an exhaustion of bilateral means to intramural conflict resolution. This must be done from two different angles, i.e. AMS requesting the association's involvement and whether or not ASEAN can respond to such requests. KPIs were correspondingly determined as the degree of enthusiasm of conflicting parties to call on ASEAN as well as the latter's pro-activity in case of such conflict. Naturally, equally important is the outcome of potential mediating efforts.

The Thai-Cambodian conflict has been a frustrating experience for ASEAN and the impact on the APSC has been enduring. Acharya had argued that ASEAN's single greatest success *'was its ability to dilute and manage […] intra- mural disputes'* since AMS '*have not allowed their bilateral territorial disputes and political tensions […] to*

---

[778] Diplomatic Note of the Cambodian Ministry of Foreign Affairs to the Thai embassy in Phnom Penh, 11 November 2009, op. cit.
[779] Chachavalpongpun (2012): 91f.
[780] Busse (1999) op. cit.

cripple the organization.'[781] However, individual AMS impeded ASEAN's effectiveness and while Thailand rejected any outside interference, Cambodia frequently called upon extra-ASEAN bodies. The argument could be made that neither party had any faith in ASEAN-based dispute settlement mechanisms, nor showed great enthusiasm to get ASEAN involved. Indeed, most accounts of the conflict emphasise the role of the UNSC and the International Court of Justice (ICJ). I content that such emphasis is, while reasonable, insufficient and omits both Hun Sen's appeal to ASEAN and the reasons for Thai rejection of multilateral solutions. Hun Sen and Hor Namhong had called on ASEAN more than once before turning to the UN and the appeal at The Hague was not meant to replace, but to supplement ASEAN and UNSC efforts. Cambodia hoped for immediate conflict mediation through the hands of ASEAN and the UNSC – and in this order – while the ICJ appeal was an attempt to achieve more long-term legal clarification. While it is true that the Cambodian government was frustrated by a lack of regional progress and turned towards the international community, it was also keen to have ASEAN involved from the outset. Hun Sen specifically requested invocation of dispute settlement mechanisms of the Charter and the TAC. The Thais on the other hand did their utmost to marginalise ASEAN. In the light of the domestic political condition however, this ought to be interpreted not as a sign of lack of trust in the association as such, but of domestic political considerations. A quiet, sober, and unpretentious conflict management as would have been the ASEAN way, was not auspicious to particular Thai interests. After all, the conflict was escalated mostly for populist purposes and Thailand had no interest in conflict mediation in the first place. At that time, it did not serve elite interest in Bangkok to solve the dispute and multilateralise in general, may it be through ASEAN, ICJ, UNSC, or Indonesia.

This brings us right to the second criteria, ASEAN's proactivity. Here ASEAN has had an unfortunate start, missing numerous opportunities to intervene between 2008 and 2011. That it did get involved eventually vindicated ASEAN to some degree and proved some relevance. Despite Hun Sen's appeal to ASEAN and despite early

---

[781] Acharya (2011): 6.

warning signs of pending militarisation in 2008, ASEAN initially remained passive rather than proactive. In the light of the above analysis, ASEAN's unanimity requirement is largely to blame. Not only would ASEAN proactivity require consent in Bangkok and Phnom Penh, but also among the other eight capitals. The case study argued that Thailand successfully managed to keep ASEAN sidelined by procedurally inhibiting a multilateral mandate, because serious, quiet, and outcome oriented negotiations were not necessarily in Thailand's interest – at least not in the early phases of the conflict. Continuing to play domestic politics was easy and influential sections of the political establishment in Bangkok, such as the PAD and the DP government as well as the Thai military were reluctant to multilateralise. ASEAN's consensus principle worked in Bangkok's favour and Thailand was able to keep the issue off the agenda at ASEAN meetings and impeded Vietnamese involvement in 2010 in its role as the ASEAN Chair. But this is of course precisely what ASEAN unanimity was invented for in the first place; to provide all members with a veto on the degree of possible interference as to ensure that ASEAN moves only at a pace comfortable to all.

It remains unclear why the steadfast Thai preference for bilateralism faded in 2009 and Bangkok somewhat retreated from its position. It is most likely that the Abhisit government had by then already achieved its major aim of replacing the alleged Thaksin proxy-government and banishing both the party and its offsprings as well as leading figures such as Samak and Noppadon with the help of the Thai Supreme Court. Although the opposition DP had been irresponsibly complicit to PAD nationalist campaigning in order to gain political control, Abhisit had certainly no interest in further escalating a perhaps prolonged military conflict on the Thai border. Once in power as of late 2008, the new Thai government agreed to Indonesia initiated minilateral discussions on the sidelines of the 2009 APEC and other meetings. Further impetus for change came by Hun Sen's controversial public announcement of the appointment of Thaksin as his economic advisor, only several weeks before the APEC meeting. Sokbunthoeun has suggested that the appointment sent a strong message to the international community that bilateral relations were

spiraling out of control and required immediate outside attention.[782] It is likely that all ASEAN stakeholders, including the new Thai government may have wanted to preempt possible interference.

But it would be insufficient to locate blame for initial ASEAN idleness in Bangkok alone. We also saw that in spite of numerous opportunities to intervene from when fighting first broke out in 2008, a number of ASEAN leaders, including the Singaporean or Vietnamese Chair, at several meetings such as the AMM or ARF were reluctant to get involved. The utmost consideration was paid not to the conflict but to the prevention of permanent damage to the cherished non-interference doctrine and the setting of a potentially fateful precedent. The Singaporean Foreign Minister Yeo articulated a general ASEAN preference for strict bilateralism during the 41st AMM. ASEAN assistance was also unsuccessfully sought at the 42nd AMM in Phuket. Although the conflict was increasingly tense and being militarised at that point, the joint communiqué failed to include a single reference. The same holds true for the Chairman's Statement of the subsequently held 16th ARF meeting.[783] In the early years, ASEAN chose to ignore the conflict. Even worse, instead of simply ignoring and failing to utilise existing conflict settlement mechanisms, ASEAN leaders even tried to impede extended multilateralism by requesting Cambodia to refrain from taking the issue beyond Southeast Asia towards the UNSC. Instead of appreciating both its responsibility and the unique opportunity to be the vanguard of regional security, ASEAN remained idle; even did the opposite and insinuated that a referral to international bodies would do harm to ASEAN's standing and perhaps open the door for potentially detrimental extramural interference. A position voiced by the Singaporean Chair and later confirmed by Susilo Bambang Yudhoyono.

Yet, to ASEAN's credit, this changed as of 2009. Although, or perhaps precisely because APEC is not strictly an ASEAN forum, on the sidelines of the 2009 Summit, Indonesia reiterated ASEAN's preference for non-involvement, but quietly began to engage in informal shuttle-diplomacy, most likely sanctioned by all AMS. Although

---

[782] Sokbunthoeun (2009).

[783] Joint Communiqué of the 42nd AMM, 20 July 2009; Chairman's Statement 16th ARF, 23 July 2009, both available: www.asean.org, accessed: 12/06/2016.

without immediate result, Marty Natalegawa commenced his “job” as an informal mediator. Although it tragically took further casualties and displaced people as well as a serious UNSC scolding for things to progress, at the renewed outbreak of serious fighting in 2011 ASEAN took ownership of its own security. It was also the good fortune of having Indonesia as ASEAN chair. Eventually Thailand and Cambodia began to cooperate within ASEAN frameworks and Indonesia as the current ASEAN Chair stepped up its mediation efforts. Although action could have been taken significantly sooner, an ASEAN option materialised and Jakarta somewhat salvaged the association.

Once in the game, ASEAN certainly broke ground by convincing both parties to agree to and arrange an Indonesian monitoring mission. Several informal minilateral discussions took place and the special IMAMM was called, paving the way for Indonesian intermediation. In particular in the light of ASEAN’s earlier reluctance to encroach on the non-interference doctrine, the IMAMM pushed sensitive boundaries and managed to achieve consensus on the first ever intramural security monitoring mission. Essentially, the Charter and the TAC could work indirectly rather than officially and ceremoniously and ASEAN could provide good offices through Indonesian hands. Indonesian conflict mediation meant that the High Council as an institutionalised and highly public mediation facility did not need to be formally invoked and potentially be interpreted as a precedent for institutional interference, possibly changing ASEAN forever. After all, the disputing parties are not obliged to use regional mechanisms as a means to resolve conflicts at all, but free to choose other mechanisms.

One could certainly argue that it was Indonesia, not ASEAN that took the initiative and of course, not everything that happens in Southeast Asia is the work of ASEAN. While not entirely implausible an argument, it would be unfair to give ASEAN no credit. Indonesian mediation efforts can be considered a genuine attempt to implement ASEAN sanctioned conflict settlement mechanisms in order to solve an intraregional, not Indonesian problem and to demonstrate ASEAN relevance to both the international audience and to its own members. Indonesia under Yudhoyono was still considered ASEAN’s natural leader, engaged as its primus inter pares and

interested in ASEAN-based regionalism. Indonesia was also ASEAN chair in 2011 and most crucially perhaps, Marty Natalegawa did not take this diplomatic initiative in his capacity as Indonesia's top diplomat but as the ASEAN chair.[784] I shall therefore argue that this mediation can credibly be considered an ASEAN effort, although dependent on a proactive Chair. While the association did not have a realistic option to remain idle when two security community members violated its fundamental principles and the international community called it to action, ASEAN had taken a big step nonetheless. It also regained some credibility as to being able to, if not regulate, at least contribute to peace and stability in the region. The UNSC referred this contentious issue back to ASEAN and ASEAN took on the challenge, despite Thailand's and others initial insistence on exclusive bilateralism.

If one accepts this argument, one must also ask how effective ASEAN's labour eventually was. Unfortunately, we saw that the mission ultimately failed. At the beginning, all IMAMM participants were certain that there was unanimity among AMS this time, including Thailand.[785] Bangkok's eventual resistance, mostly by the Thai military and the strong persona of General Prayuth is testimony though, to enduring procedural shortcomings and the ensuing fragility of ASEAN initiated processes. No matter how much AMS may agree on the need to resolve a common security concern, all it takes is one influential stakeholder to sabotage the entire enterprise and thus, devastate all progress. Effectiveness therefore hinges entirely on voluntary compliance of diverse and capricious stakeholders.

This conflict has occurred at a time when ASEAN's community project was gathering momentum and the association kept fairly quiet arguably for that very reason. ASEAN action only materialised meaningfully once the UNSC had specifically requested it to take ownership of its own internal security. Asia-constructivists have traditionally argued that 3rd party mediation is a testimony to the spirit of

---

[784] I infer this from Natalegawa's press statement at the UNSC in New York in 2011, available: *United Nations Webcast* (14 Feb, 2011): Marty M. Natalegawa (Indonesia, ASEAN) on the Cambodian-Thai border.

[785] Interview with Singaporean diplomat, Singaporean Ministry of Foreign Affairs, January 2016.

accommodation among AMS [786] and has become an acceptable way of conflict resolution among AMS albeit being generally wary of outside interference.[787] But the impression remains that it was not ASEAN's finest hour, requiring international scolding before attempting to take care of its own backyard. But that it eventually did allows for three inferences. First, Surin Pitsuwan not completely unwarrantedly claimed that this could be read as a sign of faith on the UN's part into ASEAN's ability to find amicable regional solutions to bilateral problems among its members and thus, have some trust in the ASEAN security community.[788] Second, that earlier reluctance to get involved was no straightforward agreement on non-action, but may have been intensely deliberated with the non-involvement faction winning. Lastly and most importantly, it shows that ASEAN can be proactive and even willing and able to apply flexibility to one of the most sensitive principles. The proactive role of ASEAN, its Chair, and the agreement between Thailand and Cambodia heralded a diplomatic and institutional victory for ASEAN.

A Preliminary Conclusion

Thai-Cambodia relations have never been and still are far from easy. In particular between 2008 and 2011 bilateral ties were very much dominated by respective domestic politics, complex personal relationships, and military tensions. But by no means a strictly bilateral matter. Events during those years have had significant implications for ASEAN's Political-Security Community (APSC) and Asia-constructivist assertions, for they questioned the substance of both the institutionalised security community as well as notions of Southeast Asian community identity. The answer to the initial, case specific research question is therefore a qualified "no". The case study found that the APSC has clearly missed the "S" by failing the benchmark of *dependable expectations of peaceful change.* Having also missed the *identity* benchmark, ASEAN has been somewhat vindicated by partially meeting the

---

[786] Acharya (2011): 4.
[787] Caballero-Anthony (2005): 78.
[788] ASEC (21 Feb 2011): Historic Firsts: ASEAN Efforts on Cambodian-Thai Conflict Endorsed by UNSC, available: www.asean.org, accessed: 12/06/2016.

benchmark of *conflict mediation*. AMS do not, as the 2009 Blueprint promised, live in a '*cohesive, peaceful, stable and resilient region with shared responsibility for comprehensive security*'.[789] ASEAN has not been entirely apathetic, though and has in spite of severe structural restraints attempted to contribute to regional order. Thus, there is still at least some merit to the "C".

The fundamental argument this chapter has tried to make is that domestic politics and inter-factional struggles over narrow national ends have led to the politicisation and military escalation of a sensitive but essentially manageable dispute. In order to gain domestic political capital populists and interest groups have encouraged and harnessed nationalist sentiments for political ends and infested not only a bilateral relationship but also regional integration as a whole. Populist culprits in Bangkok and Phnom Penh have recklessly held hostage the APSC, Southeast Asian integration and exposed the fragility of ASEAN institutions and insubstantiality of their shared community.

First, the Thai-Cambodian conflict undermined the critical "S" in the APSC, which is built on the presupposition that no AMS will use force against another. This case study unmistakably evidenced that there is no dependable expectation of peaceful change in Southeast Asia. Over decades of security integration and community building, ASEAN has forged ahead with a rhetorical transformation from a segmented, war-torn Southeast Asia into a "concert of Southeast Asian nations", a security community. However, this military engagement reminded all of ASEAN that some neighbours may remain a substantial traditional security threat. Hitherto, ASEAN has not created a security community. With the APSC, it has institutionalised a status post; institutionalised a security community that exists on paper only.

Second, the intervening variable (IntV) of much of Asia-constructivist literature on ASEAN integration, a sense of a common identity, has shown to be weak. In the light of events and language employed, even most optimistic Asia-constructivists will find it hard to dismiss the reality of narrowly defined self-interest determining foreign policy choices whenever opportune, under total disregard of those they ostensibly

---

[789] APSC Blueprint (2009): II.10.

share an identity with. Perhaps this is why Acharya chose to largely ignore the 2008 – 2011 years. Political elites in both countries readily sabotaged regional relations for domestic political purposes and deliberately and calculatedly employed a hostile mix of nationalism and xenophobia as opposed to rhetoric of a "community of caring societies". Apparently, not all AMS have realised that they have something more important in common, namely being a member of ASEAN, as Busse once claimed. Short-term gains of pursuing narrowly defined national interests are still perceived as greater than associated regional costs. Clearly Cambodia and Thailand have skipped the "regional identity-sharing lesson" of the Asia-constructivists. The latter have also applied the Wendtian sense of interest transformation as a consequence of merging individual national into common regional identities, facilitating security community formation. This case study has shown that influential political factions, in cooperation with national courts and the military did not hesitate at all to use military force against a fellow AMS in order to gain domestic political momentum and present themselves as either the true vanguard of the Thai nation, or the strong defender of the Khmer people respectively. This casts doubts as to the substance of Asia-constructivist research variables. Critics may hold that Wendt himself had warned that the process of identity convergence and subsequent interest transformation would be incremental and slow. But after decades of identity and community rhetoric, at what point is it permissible to question not the process timing, but the validity of the argument as such?

Although this case study granted ASEAN a certain degree of security actorness, it also brought home the notion of ASEAN's inability to act beyond the smallest common denominator. The Thai-Cambodian conflict highlighted ASEAN's intrinsic impediments to transcend national sovereignty even if its very reason for being, regional security, is under serious threat. For large parts, the entire organisation was successfully marginalised by individual national actors and forced to watch on helplessly as two of its members militarised and mobilised against each other and violated ASEAN's fundamental core of stability and security. Consequently, claiming that ASEAN has initially failed its ambition to be the facilitator of peaceful intramural conflict resolution is as easy as it is appropriate. The perpetuation of this serious

intra-ASEAN conflict despite requests for ASEAN to mediate indicates just how frail the institutional foundations of the APSC really are. As is common practice in ASEAN, TAC and Charter provisions such as the good offices of the Chair or the High Council can only initiate dispute settlement procedures if all parties not only agree to, but even request such procedures. In other words, all provisions remain entirely intergovernmental. This is of course no coincidental mishap but reflects ASEAN's general antipathy to multilateralism and a necessary precondition for such mechanisms to exist in the first place. Thai rejection of multilateralism as well as ASEAN's own reluctance to set an interference precedent has exposed the inherent weakness of the ASEAN way. By seeking external 3rd party help Cambodia signalled its despair with ASEAN's ineffectiveness and, as is often the case in ASEAN, [790] depended on international arbitration, not regional solutions. This results from a realisation that ASEAN cannot always be the vanguard of Southeast Asian security and territorial integrity of first resort and that AMS are better off looking for security elsewhere. The preponderant danger is that individual ASEAN members may entrench this habit. As a result, the already feeble APSC and ASEAN mechanisms for dispute settlement may become complete window dressing; adroit but misleadingly superficial. Structural impediments can und inauspicious circumstances render ASEAN-based mechanisms almost inoperable. This is and will remain the perennial problem of ASEAN.

This being said, those mechanisms are not redundant. While ASEAN has not been very effective in dealing with the Thai-Cambodia border war, it would be equally insufficient to declare ASEAN entirely absent and pathetic. It could be demonstrated that under certain conditions ASEAN does have the ability to be, if not regulative mediator, at least a valuable facilitator of conflict mitigation. With its staggering number of regular and ad-hoc meetings ASEAN facilitates important inter-elite dialogue and confidence building, even practical conflict management in a heterogeneous region. The results of the IMAMM or stakeholder conventions at the

[790] Amer (2003).

sidelines of regular gatherings are testimony to that. ASEAN offers its members institutionalised as well as ad-hoc conflict management facilities.

For now, this specific conflict is largely muted, but not overcome and indeed several more frozen conflicts exist in Southeast Asia. As long as Thailand's domestic factionalist predicament remains and as long as Hun Sen sees fit to employ the "Thai threat" as a means to perpetuate his hold on power, Preah Vihear will remain a dangerous political tool, liable to cast its shadow over the APSC. Present day ASEAN can therefore continue to offer its services as a mediator, but is unlikely and indeed incapable to do much more than that. Granted, this is significantly less than security community language promises. But there is the argument to be made that Southeast Asia would be less secure without ASEAN.

4.3. Case Study 3: The Rohingya Refugee Crisis – Norm Diffusion and Effective Governance.

> *The purposes of ASEAN are: […] To strengthen democracy, enhance good governance and the rule of law, and to promote and protect human rights and fundamental freedoms, with due regard to the rights and responsibilities of the Member States of ASEAN; (ASEAN Charter; 2007)*[791]

> *ASEAN must establish a culture of honouring and implementing its decision and agreements, and carrying them out on time. Delays and non-compliance will be counter-productive, undermine ASEAN's credibility and disrupt ASEAN's efforts in building the ASEAN Community. […] ASEAN's problem is not one of lack of vision, ideas, and action plans. The problem is one of ensuring compliance and effective implementation of decisions. (ASEC; 2007)*[792]

[791] ASEAN Charter (2007): Art 1.7.

[792] ASEAN Secretariat (2007): A New ASEAN, available: www.asean.org, accessed: 20/05/2016.

This final case study intends to evaluate the degree of ASEAN's actorness in the ASEAN Political-Security Community pillar by inquiring as to ASEAN's overall institutional effectiveness, its institutional value in other words. To that end, it will assess ASEAN's norm cascading quality and governance capacity relating to commonly agreed upon norms. More case specific, can ASEAN contribute towards solving, improving, or at least alleviating human rights crises? ASEAN in recent years increasingly promoted corresponding principles and norms, suggesting that it may fulfil the function of a normative exchange forum auspicious to a normative evolution across Southeast Asia.

As was the case in the previous two assessments, this final appraisal of ASEAN devises a set of benchmarks originating from the demand side of Asia-constructivist perspectives on ASEAN's ostensible qualities as well as ASEAN's own ambitions in the specific field of the non-traditional security (NTS) issue of human rights. The supply side shall be assessed against the background of the 2015 Rohingya refugee crisis unfolding in the Andaman Sea. The ASEAN human rights mechanism (HRM) and the crisis response will serve as test for ASEAN effectiveness in terms of both governance and ideational exchange. To this end, I propose the following case specific research question:

Have human rights norms been diffused and internalised across ASEAN and translated into sufficient governance capacity for ASEAN to act meaningfully in events of human rights crises?

Following a thorough analysis of both demand and supply, this case study unfortunately concludes that although there is strong evidence of norm diffusion, in terms of ability to affect corresponding crises, ASEAN has underperformed. Low governance capacity stands in stark contrast to ASEAN's rhetorical commitments and casts doubts as to the alleged norm cascading process within the association beyond rhetoric.

Demand Side – Non-traditional Security and Human Rights on ASEAN's Agenda.

In line with the overall case study design, the following paragraphs will outline some of the most critical examples of what guidelines and principles ASEAN has set out for itself with regards to NTS in general and human rights in particular. Once relevant perspectives of Asia-constructivists have been added, this case study will devise a set of benchmarks.

ASEAN Rhetoric

> *Human rights is an important component of our people's lives, and it is important for the people-based community we plan to build. But the success of AICHR goes beyond the advancement of human rights and fundamental freedoms as envisaged by the ASEAN Charter. Ultimately, it is all about the commitment of Member States to enhancing the quality of the life of ASEAN peoples, empowering and engaging them in ASEAN's community building process, all of which are the fundamental basis of a genuine community for peoples. […] ASEAN's regionalism must draw strength from our peoples in order for us to achieve a genuine ASEAN Community – a community not only of peace and prosperity, but also one in which there is a mutual respect for human dignity and human development. (Abhisit Vejjajiva, 2009)*[793]

In theory at least, ever since the Charter ASEAN has become a staunch defender of human rights. Such normative commitment has become both a very prominent feature in all ASEAN community rhetoric as well as a legal requirement. As far as this case study is concerned, two basic elements are of greater relevance. First, what commitments has ASEAN made towards normative principles that can realistically be interpreted as relating to human rights. Second, to what degree has ASEAN declared itself authorised, capable, and willing to deal with human rights and tackle related issues/threats should those arise?

---

[793] Remarks by H.E. Abhisit Vejjajiva, Prime Minister of the Kingdom of Thailand, on the Occasion of the Inaugural Ceremony of the ASEAN Intergovernmental Commission on Human Rights (2009), available: www.asean.org, accessed: 24/05/2016.

As early as 1993, all ASEAN Member States (six at that time) attended the United Nations (UN) World Conference on Human Rights in Vienna where all participants jointly and by consensus produced the Vienna Declaration and Programme of Action.[794] With this globally endorsed document, the founding ASEAN states and post-accession Brunei, the "old" ASEAN members (o-AMS), accepted the general universality of human rights as well as specific provisions such as the entitlement of every individual to seek and enjoy asylum from persecution, the right to return to the native country, or the protection of minorities. As far as this thesis has been able to find out, the term human rights was first introduced to official ASEAN language in 1993 at the 26th ASEAN Ministerial Meeting (AMS) in Singapore. Arguably not entirely coincidental, in the wake of the Vienna Declaration and prior to ASEAN enlargement to include the CLMV states (Cambodia, Laos, Myanmar, Vietnam), ASEAN foreign ministers stressed the importance of '*strengthening international cooperation on all aspects of human rights*' and agreed that '*all governments should uphold humane standards and respect human dignity*.'[795] A few years later, ASEAN foresaw a region where all nations – including AMS – govern in the interest of '*the welfare and dignity of the human person*' in a region '*where all people enjoy equitable access to opportunities for total human development regardless of gender, race, religion, language, or social and cultural background*.'[796]

While the Declaration of ASEAN Concord II (Bali II) fails to mention human rights or human security at all, it declares that AMS should live in '*a just, democratic and harmonious environment*.' This founding document initiating AC15 integration does subscribe to a comprehensive perspective on security in general and all threats to security, transboundary and regional in nature, should be addressed holistically and comprehensively, recognising the '*broad political, economic, social and cultural aspects'* of security. [797] The following year, the Vientiane Action Programme

---

[794] United Nations Human Rights Office of the High Commissioner (1993): Vienna Declaration and Programme of Action, available: www.ohhcr.org, accessed: 24/12/2015; henceforth Vienna Declaration.
[795] AMM (1993): Joint Communiqué of the 26th AMM: 18; available at: asean.org, accessed: 18/05/2016.
[796] ASEAN Vision 2020 (1997), available: www.asean.org, accessed: 19/01/2016.
[797] Bali Concord II (2003): A.2., available: www.asean.org, accessed: 02/01/2016.

highlighted the need to promote human rights, but unlike later documents, did not mention protection thereof.[798] Subsequently, human rights appeared frequently in the ASEAN discourse and subsequent documents.

At least in theory ASEAN main legal body, the Charter is indicative of ASEAN's normative evolution in terms of human security, as clear references to human rights protection can be found. While the Charter, as chapter 2 explained, organises ASEAN's institutions so as to reinforce the traditional intergovernmental principles of the ASEAN way, the association's supreme legal body also obliges ASEAN to respect a wide set of normative humanitarian principles. Alongside '*respect for the different cultures, languages and religions of the peoples of ASEAN*', [799] promotion and protection of human rights and social justice is frequently highlighted. Even the very preamble expresses ASEAN adherence to '*respect for and protection of human rights and fundamental freedoms.'* It is proclaimed as two of ASEAN's primary purposes to '*promote and protect human rights*' and '*providing them [the peoples of ASEAN] with equitable access to opportunities for human development, social welfare and justice'*.[800] In order to live up to those commitments and principles, Article 14 demands the creation of an official HRM.[801] Something that would later materialise in form of the ASEAN Intergovernmental Commission on Human Rights (AICHR).

The first comprehensive APSC Blueprint of 2009 devoted seven action lines to the promotion and protection of human rights, making it the security issue with the second most action requirements in the entire Blueprint. It even garnered 15 action lines and the greatest attention in the 2015 edition.[802] While the 2009 title of human rights related action requirements reads *Promotion and Protection of human rights*, the later edition added '*social justice and freedom'* as well as '*dignity and harmony'* to the title. Just like the Charter suggested a normative evolution, the new title is indicative of an interpretational broadening of the human rights concept including

---

[798] ASEAN Vientiane Action Programme (2004): Art 1.1(ii), available: www.asean.org, accessed: 24/05/2016; this chapter will return to the critical differentiation of "promotion" and "protection" at a later stage.
[799] ASEAN Charter (2007): Art. 2.l.
[800] ASEAN Charter (2007): Preamble; Art. 1.7; 1.11.
[801] ASEAN Charter (2007): Art. 14.
[802] APSC Blueprint (2009): A1.5; (2015): A2.5.

not only the physical but also a more comprehensive understanding of human well-being and societal freedoms. The 2009 Blueprint identifies NTS in general as vital[803] and commits ASEAN to strengthen transnational humanitarian assistance, by providing '*basic services or assistance to bring relief to victims of conflict in consultation with the receiving State*' and to '*promote cooperation for orderly repatriation of refugees/displaced persons and resettlement of internally displaced persons*.'[804] In order to do so, the Blueprint specifies the need for ASEAN to respond to NTS threats, including transboundary challenges in an '*effective and timely manner*'. [805] The 2015 edition repeats and elaborates on this, adding elements of awareness promotion, ASEAN inter-sectorial body cooperation and crucially, encouragement of individual AMS to implement commitments.[806] Thus defined, the issue of human rights was firmly anchored in the jurisdiction of the APSC pillar and bestowed with specific obligations to take action. Indonesian Foreign Minister Wirajuda stated that the inclusion of human rights in the APSC pillar meant that ASEAN had at last taken '*the bull by the horn*' in terms of human rights.[807]

ASEAN's latest document Vision 2025 declares that ASEAN shall consolidate the now ostensibly established community and realise a '*rules-based, people-oriented, people-centred ASEAN Community where our peoples enjoy human rights and fundamental freedoms'.*[808] It continued with the call of ASEAN leaders that *'[o]ur peoples shall live in a safe, harmonious and secure environment, embrace the values of tolerance and moderation as well as uphold ASEAN fundamental principles, shared values and norms.'*[809] This rules-based

> *inclusive and responsive community […] ensures our peoples enjoy human rights and fundamental freedoms as well as thrive in a just, […] environment in accordance with the principles of democracy, good governance and the rule of law*; [in respect of] *different religions, cultures and languages of our peoples.*

---

[803] APSC Blueprint (2009): B17; II.8.
[804] APSC Blueprint (2009): B.3.1.
[805] APSC Blueprint (2009): B.4.
[806] APSC Blueprint (2015): A.2.5.
[807] Quoted in Caballero-Anthony (2009): 210.
[808] ASEAN Community Vision 2025 (2015): Art 4.
[809] ASEAN Community Vision 2025 (2015): Art 7.

This community also '*upholds common values in the spirit of unity in diversity as well as addresses the threat of extremism in all its forms and manifestations*' in a region that will be able to '*address effectively and in a timely manner existing and emerging challenges, including non-traditional security issues, particularly transnational crimes and transboundary challenges*'. [810] Remarkably domestically intrusive by ASEAN standards, to this end ASEAN Member States (AMS) are individually encouraged '*to strengthen domestic legislation and institutions, promote human rights education and hold consultations with relevant stakeholders'* including '*engagement with the UN and relevant human rights mechanisms to which ASEAN Member States are parties.*' Internally, AMS are advised to enhance consultation with relevant ASEAN sectorial bodies, among each other and most striking in ASEAN, civil society organisations.[811] One could of course argue that Vision 2025 merely stated ambitions as to what leaders would want the ASEAN community to look like in a decade or so, if it was not for the fact that the APSC Blueprint of 2009 had in almost precisely the same words declared that the APSC, in force as of 2015, would be able to the same.[812]

Aside from Charter and community documents, the most specific ASEAN document relating to the issue at hand is, as the name suggests, the ASEAN Human Rights Declaration (AHRD) of 2012,[813] drawn up by the AICHR and sanctioned at the ASEAN Summit in 2012. It champions internationally accepted standards in line with all previous ASEAN commitments, including principles such as equality, freedom of movement within the native country, a right to education, and freedom from discrimination on the basis of ethnicity or religion as basic human rights. In addition to such repetitions of previous commitments, the cooperative elements articulated in the AHRD are noteworthy. It recognises that AMS '*share a common interest in and commitment to the promotion and protection of human rights and fundamental freedoms'*. This commitment, the declaration continues, *'shall be achieved through, inter alia, cooperation with one another as well as with relevant national, regional*

---

[810] All in ASEAN Community Vision 2025 (2015): Art 8.1-8.4.
[811] APSC Blueprint (2015): A.2.5. i.- xi.
[812] APSC Blueprint (2009; 2015): e.g. II.7; II.10; A.1.5; B4.1.
[813] ASEAN Human Rights Declaration (2012), available: www.aichr.org, accessed 18/05/2016.

and international institutions/organisations, in accordance with the ASEAN Charter.[814]

In sum, there is an evident and unambiguous normative commitment to both promote and protect human rights and freedoms of all peoples across ASEAN, coupled with a very ambitious, but more ambiguous promise as to the tangible implementation of such principles. Intra-ASEAN cooperation as well as civil society and international community engagement is frequently mentioned and AMS are encouraged to contribute their bit.

Asia-constructivists

> *The APSC represent a desire of ASEAN to move beyond functional security cooperation, to develop a framework of regional governance based not only on practical necessities but also on normative considerations, such as notions of democracy, human rights, transparency, and justice. As such the APSC goes beyond being a mere security initiative and is arguably also a political project for the Southeast Asia region.*[815]

While a realist perspective would suggest that ASEAN human rights institutions and declarations are a product of traditional state centred security concerns, Asia-constructivists tend to argue that ASEAN has experienced a normative evolution and regard the AHRD and the AICHR as evidence for intramural norm diffusion. Chapter 3 drew attention to the concept of norm diffusion in traditional constructivism which relates to the possibility of socialisation processes unfolding within a forum of interactive exchange of ideas. Finnemore and Sikkink have called the process from initial infusion towards eventual internalisation "norm cascade". At the final end of the "life cycle of norms" the norm follower will internalise the promoted norm, which from then on assumes a taken-for-granted quality.[816] As is to be expected, the role of international organisations and the institutionalisation of norms frequently feature in norm diffusion literature.[817] Organisations act as platforms through which

---

[814] AHRD (2012): Art 39.
[815] Caballero-Anthony (2012): 41.
[816] Finnemore/Sikkink (1998): op. cit.
[817] Hurrel (2003).

proactive norm-entrepreneurs can promote and cascade their normative pledge which may subsequently be institutionalised and result in regulative mechanisms.[818] I.e., international organisations, such as the United Nations (UN), European Union (EU), or indeed ASEAN, become a forum of interactive exchange of ideas. Individual norm-entrepreneurs feed the wider discourse within the organisational forum and encourage institutionalisation of the respective norm. If successful, subsequent internalisation by all participants can occur.

Building on this, Amitav Acharya particularly highlighted the role of regional organisations within which formerly foreign norms can become "localised". As chapter 3 laid out, according to Acharya's localisation argument, the agency of regional actors does not end with receiving and internalising the ideational input of international norm-entrepreneurs. In particular within the framework of regional organisations such as ASEAN, the foreign input (norms/ideas) is redefined and re-interpreted in order to make it compatible with pre-existing local conditions, harmonise it with pre-existing belief systems.[819] The socialisation of relevant actors into acceptance and internalisation of the thus cascaded and attuned norm is the final stage of the norm progression, or "norm life cycle" as Finnemore and Sikkink have called it.

It does not take a great deal of imagination to draw parallels between this general conceptual framework and ASEAN specific application by Asia-constructivists. In this specific case norm diffusion is the process by which actors, such as individual AMS or civil society organisations attempt introduction of new, perhaps harmonised standards of appropriate behaviour, i.e. new constitutive norms. Those norm-entrepreneurs persuade others to become norm-recipients. Asia-constructivists may then for instance look at how individual AMS or local civil society organisations tried to induce liberal human rights norms into the ASEAN discourse, expecting the norm life cycle to progress, eventually leading to institutionalisation and internalisation of human rights norms across Southeast Asia. Achraya has argued that norm diffusion

---

[818] Finnemore/Sikkink (1998).
[819] Acharya (2009).

has frequently taken place in Asia through institution building.[820] Organisations such as ASEAN and its offsprings have functioned as platforms for '*normative contestations and localisations involving global and regional norms*.'[821] According to him, the impact of norms on regional order is substantial, for norms shape institutional designs in Asia, which then facilitate creation and management of order.[822] In other words, the causal impact of international norms, harmonised in the Asian context is manifest in diverse institutional outcomes across Asia.

Kerstin Radtke is a prime example and her study highly interesting. She believes that above detailed human rights pledges by ASEAN are evidence in itself that norm infusion by the hand of norm-entrepreneurs has occurred. Interestingly, Radkte adds the element of opportunism and commences her analysis with ASEAN enlargement as her IV. With ASEAN expansion to include the allegedly internationally "stigmatised pariah state" Myanmar, an opportunity presented itself to tackle the tricky issue of human rights.[823] Myanmar's accession opened a window of opportunity for norm-entrepreneurs to *'strengthen their discourse and to introduce ideas about democracy and human rights as components of regional identity into ASEAN.'* [824] External pressure from the EU and the U.S. had stigmatised Myanmar, forcing ASEAN elites to be responsive to normative change and to reflect on *'what it does not want to be'* in order to avoid similar international stigmatisation.[825] In this conducive context, internal norm-entrepreneurs in the form of Thailand, the Philippines, and post-Suharto Indonesia as well certain civil society actors strategically seized the moment in order to force a normative evolution in ASEAN's general political discourse. ASEAN had to open itself to such issues as a collective organisation and its normative framework began to change from purely procedural towards constitutive norms, including respect for human rights.[826] Although still inadequate, Radtke claims there has since been *'increased activity on human rights and democracy issues in*

---

[820] Acharya (2009): 26ff.
[821] Acharya (2009): 30.
[822] Acharya (2009): 146.
[823] Radtke (2014): 89.
[824] Radtke (2014): 100.
[825] Radtke (2014): 85.
[826] Radtke (2014): 80; 86.

ASEAN'.[827] By way of evidence she compares the 1967 Bangkok Declaration to the 2007/08 Charter. Doing so provided evidence for a normative evolution in ASEAN's positions, now '*emphasising its idea of a "community sharing and caring for social problems", with a "vision of one identity".*' Radkte believes the adoption of the ASEAN Charter and the AICHR to be progress in itself since legally- and morally binding commitment were made by all AMS states.[828]

One may argue that the ASEAN HRMs are juvenile and at this point, it is unrealistic to expect well functioning maturity. Indeed, some Asia-constructivists have argued that first the Charter and subsequently the AHRD mark an important shift in ASEAN's discourse and substantiate ASEAN's evolutionary normatism. For staunch defenders of the ASEAN's human rights evolution, the AICHR and the AHRD is a stage in a journey rather than a destination.

> *[a] tangible step in a structured, inclusive and evolutionary process to build an ASEAN human rights system that promotes and protects the rights of 570 million people in South-East Asia, and helps to ensure their security, well-being and distinctive cultural identities.*[829]

Clarke for instance believes that only a small step could be taken towards a more robust institutionalised human rights protection in Southeast Asia, due to internal divisions between more liberals and more conservative camps. Clarke is confidently optimistic, though and argues in 2012 that '*evidence suggests that these cleavages may well be managed productively and creatively in the years ahead*.'[830] Even if it had started as a political project, institutional as well as normative evolution in Southeast Asia would over time ensure a satisfactory mechanism. He sees in particular the AHRD as part of this normative and structural evolution towards universally accepted, robust mechanisms of human rights protection. He identifies the Declaration as evidence for a discourse change that would eventually facilitate robust protection mechanisms. Similarly, Caballero-Anthony believes that a topic that was out of bounds previously found its way prominently into the first pillar of

---

[827] Radtke (2014): 101.
[828] Radtke (2014): 97.
[829] Clarke (2012): 27.
[830] Clarke (2012): 19.

the ASEAN community was '*indeed a milestone'*. [831] Perhaps this evolutionary journey of ASEAN's agenda was on former Thai Prime Minister Abhisit Vejjajiva's mind when he stated in that respect that the '*AICHR is not an end in itself but an evolutionary process towards strengthening the human rights architecture within the region*.'[832]

In particular the wide ranging ASEAN track-2 literature offers some convincing arguments that the global and regional recognition of the specific nature of NTS and the emergence of new-regionalism led to an increasing participation of non-state actors in security.[833] As a result of a thus increased inclusion of society-based actors in regional policy making mechanisms, the nature and focus of regional security cooperation had noticeably been extended and redefined becoming more attentive of human security related issues. Some have argued that increasing ASEAN-ISIS engagement with the issue of human rights in the form of workshops is indicative of an ever-increasing constituency of human rights advocates within ASEAN who increasingly manage to actively involve officials on both regional and national level. Indigenous regional agency (track-2 and -3) is therefore instrumental in increasing the pressure on ASEAN to officially adopt an ASEAN mechanism for promotion and protection of human rights.[834] In particular through workshops, non-state actors have not only set the scene, but are instrumental to an internal socialisation process within ASEAN channels, leading to a changed political atmosphere in Southeast Asia in which discussions on promotion and protection of human rights became appropriate.[835] As is common practice in ASEAN, track-2 is thus regarded as having a slow but noticeable impact on official policy. A civil society based norm infusion process provoked norm building in policy areas that had previously been out of ASEAN confines, e.g. human rights. Advancement of discourse and functional

---

[831] Caballero-Anthony (2009): 210.

[832] Remarks by H.E. Abhisit Vejjajiva, Prime Minister of the Kingdom of Thailand, on the Occasion of the Inaugural Ceremony of the ASEAN Intergovernmental Commission on Human Rights (2009).

[833] Collins (2014); Caballero-Anthony (2012).

[834] Caballero-Anthony (2005): 248ff; also Dosch (2008): 535, who argues that the ASEAN human rights discourse followed democratisation of some AMS that pushed the issue on ASEAN's agenda, partly via track-2 channels.

[835] Collins (2014): 90.

inclusion of NTS in ASEAN processes diversified the hitherto stringent focus on the nation state as the security referent and included individuals and societies.[836] Kerstin Radtke alluded to the fact that some ASEAN leaders have occasionally articulated their concern as to Myanmar's domestic human rights situation. Since this is in violation of the non-interference norm, Radtke argues that ASEAN evolved to an extent that even its core principles underwent a rethink in order to account for higher standards of human rights, communicated by norm-entrepreneurs.[837] In sum, the norm cascading process from infusion to institutionalisation has occurred through the initial agency of norm-entrepreneurs via the ideational and functional ASEAN forum.

This inevitably leads us to the final stage of the norm life cycle, internalisation, initiating behavioural change. Mely Caballero-Anthony moves this largely theoretical, normative discussion beyond the abstract and directly adds ASEAN governance to the discussion. She considers the ever more prevalent inclusion of human rights in ASEAN's constitutive documents as indicative of a new ASEAN consensus that locates human rights at the core of a '*human security community for Southeast Asia.'* The diligent work of pro-human rights track-2 actors since the early 1990s, was '*finally bearing fruit.'*[838] Diligent norm building had by now facilitated a framework of governance that is both functional and normative and will eventually develop a more effective model of governance.[839] She believes

> *ASEAN has demonstrated that it is serious about building a system of regional governance. This is evident in two important projects of regional governance: the AICHR and the ACWC* [ASEAN Commission on the Promotion and Protection of the Rights of Women and Children].[840]

Supposedly, the AICHR gives credence to ASEAN's commitment to move the region forward not only on human rights, but even more crucially on the broader goal to

---

[836] Caballero-Anthony (2012): 31f; Collins (2014): 83ff.
[837] Radtke (2014): 99.
[838] Caballero-Anthony (2009): 210.
[839] Caballero-Anthony (2012).
[840] Caballero-Anthony (2012): 41.

build a regional framework of governance that will be capable of addressing the wide range of NTS threats impinging on human security.[841]

Supply Side – Does ASEAN Promote and Protect Human Rights?

According to the above, we can expect great things of ASEAN. Human security and the principle of human rights promotion and protection have been part of the ASEAN discourse for over a decade now and are enshrined in the main legal body, the Charter. The priority of human rights is confirmed and consistently reinforced in the community building endeavour and the corresponding ASEAN Political-Security Community (APSC) roadmaps. The same roadmaps also aspire to effectively and timely respond to challenges arising from non-traditional security (NTS) in general. Hence, it is not unreasonable to demand at least pro-active ASEAN contribution. The increasing proliferation of human rights pledges and commitments since 2003 also seems to give credence to Asia-constructivists norm diffusion arguments within an increasingly normative ASEAN. At first sight, ASEAN seems to function as a forum of normative exchange within which agents induced new positive norms of human rights and ignited norm cascading dynamics and a normative evolution. This eventually leads to institutionalisation and facilitates normative internalisation and enhanced governance capabilities.

Benchmarks

With the above demand in mind, I propose two benchmarks against which ASEAN's performance, its supply, can be measured. The first assesses the norm diffusion quality of ASEAN as a forum for ideational exchange, while the second represents a governance audit relating to the newly cascaded norms. In other words, is normative evolution occurring and if so, does it meaningfully translate into practice?

The benchmark of *intramural norm diffusion* is a justified first benchmark of significant analytical value. First, it connects a very specific principle of ASEAN's

---

[841] Caballero-Anthony (2012): 39.

official normative agenda with Asia-constructivist theory. Second, it can credibly be related to the empirical issue of the Rohingya refugee crisis of 2015. By briefly revisiting chapter 3, it was summarised how constructivist theory believes norms diffuse at the agency of norm-entrepreneurs within organisations and institutions. Asia-constructivist literature has argued that this process may indeed be occurring within ASEAN in the case of human rights and the cascading process was well under way. This benchmark inquires as to the extent to which and possible reasons why human rights have been cascaded in ASEAN, found their way into the ASEAN discourse, and institutionally progressed from there.

Setting specific KPIs is tricky in this case, for the final stage of "internalisation" is a social and subjective variable and may be, like identity in case study 2, hard to measure. Moreover, it may also be that internalisation of human rights norms varies greatly across the ASEAN10 and it could be argued that a conclusive report on the exact progress of the cascade would require in-depth analysis of discourse and application in each AMS. However, one does not need to go quite that far. Not only is ASEAN deemed to be the forum where the cascade takes place, it also serves as a sufficient indicator of the progress of norm diffusion since the empirical case study of the Rohingya refugees will unambiguously be identified as a transnational, ASEAN-wide matter. It suffices therefore to assess the progress and quality of norm diffusion in terms of AMS readiness to support transnational ASEAN frameworks and commonly apply new constitutive norms, the redefined standards of appropriate behaviour, to immediate issues at hand to ensure regional stability and security, as mandated in the APSC. If one were to apply the norm diffusion model, it would be possible to identify norm-entrepreneurs who have used ASEAN as a forum of interactive ideational exchange in order to induce new norms into the regional discourse, a normative evolution as well as a robust mandate. KPIs are therefore the extent to and the way by which human rights have entered the ASEAN-wide discourse, allowing conclusions as to the role of norm-entrepreneurs as well as the quality of post-infusion discourse dynamics. Those norms can be expected to become localised within ASEAN-based processes and, if successful, subsequently become institutionalised and internalised. Social learning within an ASEAN human

rights forum can be anticipated to eventually facilitate normative assimilation of human rights standards across ASEAN and be auspicious to human rights legislation and mechanisms. This, I argue, can be measured in terms of support, implementation, and adherence to an appropriately defined mandate for ASEAN to effectively respond to crises on the basis of a normative consensus.

The second benchmark requires less imagination and logically follows from the first. It inquires as to the institutional effectiveness of ASEAN to affect behavioural and regulative change and be responsive to crises relating to commonly accepted norms and principles in ASEAN; its *governance capacity*. This benchmark derives largely from ASEAN's own rhetorical commitments but may also allow assessment of the final stage of the norm life cycle, substantive norm internalisation. ASEAN leaders themselves declared that they will particularly address transboundary challenges effectively and in a timely manner because the peoples of ASEAN were all to enjoy human rights and fundamental freedoms in a safe, harmonious, and secure environment within a rules-based, people-oriented, people-centred ASEAN Community. This rules-based, inclusive, and responsive community would uphold common values and address challenges effectively and in a timely manner. If norms are sufficiently internalised, this can be expected to be observable in terms of voluntary application and compliance with the new standards of acceptable behaviour. Not only domestically, but more crucial to this thesis, regionally in terms of collective enabling, or at least not inhibiting ASEAN action. If regional internalisation has occurred, consensus must be assumed to exist. In other words, in the light of the specific consensus requirements and a robust mandate, is ASEAN empowered to take meaningful action in issues concerning human rights? KPIs are thus meaningful ASEAN-led initiatives to inter alia alleviate immediate crises, finding long term solutions, and support members in their own individual efforts to alleviate humanitarian crises.

Asia-constructivist but especially ASEAN's own demand suggests that the association ought to score reasonably well in those two benchmarks. If supply meets demand, one must conclude that ASEAN lives up to its normative demands and practical institutional effectiveness and value is high, suggesting that ASEAN indeed possesses

significant security actorness by virtue of being able to take meaningful action. A further critical element of its actorness in the APSC pillar can be deemed sufficiently high in order to warrant Asia-constructivist optimism and confirm ASEAN's genuine resolve to live up to its rhetoric. Moreover, if supply meets demand, Asia-constructivist would indeed have a strong case for norm diffusion and a positive normative evolution of ASEAN.

Benchmarks of ASEAN's institutional effectiveness	***Intramural norm diffusion***	***Governance capacity***
	ASEAN as a forum for exchange of ideas; ASEAN's ability to contribute to normative evolution of Southeast Asia by projecting commonly agreed upon norms; to socialise, educate and re-educate governments in AMS in the context of the determined and established regional rules-based order based on its norms.	ASEAN's willingness and ability to monitor and affect behavioural change and immediate crises in Southeast Asia in accordance with agreed upon standards.
Corresponding KPIs	Penetration by norm-entrepreneurs; evolution of discourse; acceptance and internalisation of cascaded norms, manifest in endorsement of appropriate rules and institutions; AMS support for an ASEAN mandate on behalf of normative values.	ASEAN's ability to be responsive and to take meaningful action in order to address to human rights crises, incl. immediate disaster relief, long term problem solving; facilitate and initiate policy change and implementation; providing good office (mediation, negotiations, financial support etc.); support of individual members' efforts.

I content that one of the most severe refugee crises of current times enables us to assess precisely this institutional effectiveness and thus, gives clues as to ASEAN actorness in general terms of regional security. In the following, I shall assess ASEAN success or failure in achieving the above benchmarks, measured by KPI application to ASEAN's (re-)action to the transnational human catastrophe that was the Rohingya refugee crisis of 2015.

Background – The Plight and Flight of Myanmar's Rohingya

A to that extent unprecedented NTS issue arose in Southeast Asia in 2015 in form of a refugee crisis involving members of the Rohingya Muslim minority, predominantly originating in Rakhine State, Myanmar. The plight of Muslim minorities in several regions across Myanmar who suffer at the hand of Burmese extremist groups as well

as local and indeed central Myanmar governments is unfortunately not new.[842] Nor are the Rohingya Muslims in Myanmar the only oppressed minority in Southeast Asia. However, the migration crisis that unfolded in the early months of 2015 is of particularly high analytical value to this thesis for two reasons. First and foremost, this crisis cannot reasonably be called an exclusively domestic Burmese affair, for at least three further AMS (Thailand, Malaysia, Indonesia) were directly affected. Secondly, it particularly stands out in its severity of human suffering. No matter what definition of human rights is applied and what exactly counts as a human right, the suffering of the Rohingya cannot justifiably be excluded. This narrows the scope of possible criticism addressing case selection.

The Rohingya in Rakhine State

Early in 2015, the world witnessed an in intensity and magnitude momentous exodus of Rohingya Muslims whom the UN Refugee Agency (UNHCR) ranks as '*one of the most excluded, persecuted and vulnerable communities in the world*.'[843] Although some of the refugees originated in Bangladesh, the vast majority were persecuted Rohingya from Rakhine State, Myanmar, fleeing conditions in their country of origin that can only be described as institutionalised oppression and ethnic persecution. Some have gone as far as speaking of genocide.[844] Most Rohingya were Malaysia and Indonesia bound with both countries having a predominantly Muslim population. But also bordering Thailand has been affected greatly due to its geographic location and as it tends to be the land route of choice for human traffickers that have capitalised on the dire situation for many years, running a lucrative criminal transnational business.

As Su-Ann Oh explains, the Myanmar government labels the Rohingya as Bengali migrants whereas the Rohingya themselves maintain that they have been living in Rakhine State (Arakan) for centuries.[845] Far from being a simple matter of

---

[842] Than/Thuzar (2012) for a historical overview of the Rohingya situation in Myanmar.
[843] UNHCR (2014): Burma Study. Rohingya among the world's most persecuted, available: www.unhcr.org, accessed: 01/10/2015.
[844] Green/MacManus/de la Cour Venning (2015).
[845] Oh (2012): 1f.

terminology, this official classification means that under Burmese law, the Rohingya minority is excluded from all rights that come with citizenship. In 1982 the then ruling military junta amended citizenship regulations and excluded the Rohingya from the list of 135 national ethnicities. Henceforth, the Rohingya were effectively denied citizenship, de facto making them stateless. In international law and in line with several UN treaties such as the 1948 Universal Declaration of Human Rights, the creation of stateless people is illegal.[846] National censuses in Myanmar do not allow registering as Rohingya. At the same time, they refuse to register as Bengali, as this would be a de facto declaration of being an illegal migrant. This deprived an entire ethnic group consisting of an estimated 1.4 million people of all rights associated with citizenship in Myanmar. No longer were Rohingya granted even basic political and human rights available to the rest of the population. Rohingya have no access to health care or education and entirely depend on support of domestic and international non-governmental organisations (NGO), which themselves depend on the goodwill of the Burmese government. Free movement was restricted, as was free choice of marriage and bearing children. Practicing Islam freely became difficult and indeed dangerous. The Rohingya live under apartheid conditions.

Even under the new democratically elected National League for Democracy (NLD) government led by the Nobel Peace Price winner Aung San Suu Kyi, the Rohingya continue to be subject to systematic, institutionalised persecution and oppression by local and central governments and are frequent victims of violence by extremist groups within parts of the Burmese majority, often ignited by Buddhist communities. International hopes that the NLD government would end the maltreatment of the Rohingya have not been realised as of yet and even sunk in May 2016 when the Ministry of Foreign Affairs, run by Suu Kyi herself, requested diplomats to refrain

[846] United Nations (1948): The Universal Declaration of Human Rights, available: www.un.org, accessed: 27/05/2016; for further information Chatham House (2014): Out of the shadows. The treatment of statelessness under international law, available: www.chathamhouse.org, accessed: 02/02/2016.

from using the term Rohingya, since they were not a recognised ethnic minority and using the term was not supportive of Myanmar's national reconciliation process.[847]

Some very prominent and exceptionally violent attacks occurred in June 2012 in Rakhine State. Rohingya men, women, and children were attacked, killed and buried in mass graves. Violent mobs, often led by radical Buddhist monks attacked and burned Rohingya villages. Instead of legal persecution of the attackers, this violence led to the official, government sanctioned internal displacement of at least 145,000 Rohingya into internally displaced person camps in Myanmar where many still remain with limited access to basic nutrition, health care, and humanitarian aid. Human Rights Watch (HRW) refers to this as '*crimes against humanity carried out as part of a campaign of ethnic cleansing*.'[848] Violence has continued sporadically and not unwarrantedly, the Rohingya live in fear of further such attacks without any state protection on a daily basis. The Burmese government continues to deny any information on the attacks and on their role in the violence and persecution. However, Amnesty International and many other observers, found direct involvement of state security forces and reported that no independent investigation had been carried out and not one state official is being held to account. Instead, authorities have arrested and imprisoned Rohingya community leaders.[849]

A comprehensive study by the British International State Crime Initiative (ISCI) concludes that the Rohingya in Myanmar are subject to conditions of systematic genocide.[850] ISCI provides compelling evidence for their conclusion that the Rohingya suffer systematic, institutionalised stigmatisation and dehumanisation; harassment, violence and terror; organised isolation and segregation in detention camps, prison villages and ghettos; and a systematic weakening of their ethnic community. The authors of this report find that in particular the seemingly organised and state

---

[847] *The Guardian* (11 May, 2016): US defies Myanmar governments request to stop using term Rohingya.
[848] Human Rights Watch (22 Apr, 2013): All you can do is pray. Crimes against humanity and ethnic cleansing of Rohingya muslims in Burma's Arakan State, available: www.hrw.ord, accessed: 21/05/2016.
[849] Amnesty International (28 May, 2015): Why are the Rohingya fleeing Myanmar?, available: www.amnesty.org, accessed 25/12/2015.
[850] Green/MacManus/de la Cour Venning (2015).

sanctioned mass killings of Rohingya in 2012 and the segregated internal detention camps reveal that genocidal processes had been orchestrated at the highest levels of government. Additionally, virulent and official nationwide policy and propaganda campaigns incrementally removed the Rohingya from the state's sphere of responsibility. The government promulgated a persistent "othering" of the Rohingya minority as outsiders, such as illegal Bengali immigrants and potential terrorists. Naypyidaw facilitated and precipitated '*invidious campaigns of race and religious hatred reminiscent of those witnessed in Germany in the 1930s and Rwanda in the early 1990s*.' [851] Although the final stage of genocide, mass-annihilation, has fortunately not yet occurred, the report is disconcerting and indicative of scope and severity of human rights abuses within an AMS. A mass exodus of hundreds of thousands refugees could reasonably be expected.

Over the past decades and increasingly since 2012, Rohingya who were able to flee had done so via land based routes across Thailand and further into Malaysia at the hand of mostly Thai traffickers collaborating with corrupt officials. In the context of a general intensification of the fight against transnational crime in Southeast Asia, global expressions of serious concern and a discovery of several refugee mass graves in Thailand prompted the post-coup junta in Bangkok to put an end to the trafficking business. Bangkok initiated a serious and genuine crackdown on traffickers and their on-shore routes. This turned out to be a mixed blessing. It subdued the human smuggling business in Thailand but inadvertently triggered a major regional human security crisis, officially termed as "irregular migration [alternatively: movement of people] by sea". Language aside, in reality it produced the greatest number of trapped-at-sea boat people in Asia since the Second Indochina War. Some estimated 130,000 refugees have fled Myanmar took to the Andaman Sea.

---

[851] Green/MacManus/de la Cour Venning (2015): 99.

"Irregular Movement of People in the Indian Ocean"

'*The alarming rise in the irregular movement of people in the Indian Ocean*' [852] was the euphemistic description of what was one of the most serious man-made non-traditional security (NTS) crises Southeast Asia had witnessed in decades. Thousands of ethnic Rohingya were found adrift in the Andaman Sea, just off the coasts of Thailand, Malaysia, and Indonesia in May 2015.[853] The UN estimates that in the first half of 2015 alone some 31,000 refuges have taken to the sea in this area, a 34% increase compared to the first half of 2014. Over the past four years, some 2,000 people are estimated to have died at sea along this route, 370 in 2015.[854]

Thailand, Malaysia, and Indonesia unilaterally resorted to airdropping supplies of water and food, but denied the aimlessly drifting boats landfall. No AMS allowed asylum. In fact, Malaysia escorted the boats out of its waters while Indonesia directed the refugee boats towards Malaysia. Thailand responded the same way, even fixing some of the rickety boats' engines before sending them towards Malaysian waters – although there have been reports that Thai authorities apparently offered some Rohingya to come ashore. Those Rohingya who managed undetected landing, mostly in Malaysia, were put into detention camps once safe aground. The Malaysian government for instance announced it had detained over 1,000 Rohingya who had made landfall on Langkawi

---

[852] Ministry of Foreign Affairs Thailand (29 May, 2015): Summary special meeting on irregular migration in the Indian Ocean, available: www.mfa.go.th, accessed: 22/10/2016.
[853] *Financial Times* (22 May, 2015): The unwanted Rohingya refugees dumped at sea.
[854] UNHCR (2016): Southeast Asia. Mixed Maritime Movements in Southeast Asia 2015, UNHCR Regional Office for Southeast Asia, available: www.unhcr.org, accessed: 01/06/2016.

on May 10.[855] Other ailing refugees were left adrift at sea, heading from one AMS' shores to the next and back in what one observer not without a degree of morbid irony called '*a three-way game of human ping-pong.*'[856] The numbers have since gone down, but the problem persists and to this day, Rohingya attempt to flee via land- and sea-based routes at the hand of traffickers and due to desperate prospects at home. Neither the UN, nor ASEAN have invoked Responsibility to Protect (R2P) yet.

ASEAN to the Rescue?

Some may argue that ASEAN cannot be expected to lead, or even coordinate an effective response. Not to mention action on a R2P mandate. After all, it remains intergovernmental in nature and ASEAN Members States (AMS) remain rather wary of interference in internal affairs. It may simply not be the role of an intergovernmental organisation to address this particular issue. For a number of reasons such assertions do not withstand scrutiny. The crisis is evidently a transnational Southeast Asian issue. At least four AMS along the Andaman coast are directly affected and whether they like it or not, this crisis is not going to abate anytime soon unless the root cause of the problem does. Hence, Rohingya will continue to pose a NTS threat to countries other than Myanmar alone and while the cause may be domestic, the impact is not. Secondly, we saw above that ASEAN leaders themselves have for years declared that their peoples shall enjoy human rights and fundamental freedoms in a safe, harmonious and secure environment within a rules-based, people-oriented ASEAN Community. This rules-based, inclusive, and responsive community would uphold common values and address challenges effectively and in a timely manner. Therefore, the Rohingya refugee crisis would not only morally compel ASEAN to take action and deliver on its human rights promises, by ASEAN's own accounts it can and must address this issue. Lastly, in particular due

---

[855] *The Guardian* (21 Oct, 2015): Thousands of Rohingya refugees to flee by boat in 'looming disaster', Amnesty warns; *Bloomberg News* (14 May, 2015): Asian nations turn away boats of Rohingya as crisis expands.

[856] *New York Times* (14 May, 2015): Rohingya Migrants From Myanmar, Shunned by Malaysia, Are Spotted Adrift in Andaman Sea.

to the substantial global attention paid to the Rohingya refugee crisis of 2015,[857] this presents a unique chance for ASEAN to prove its relevance, something it tends to be generally keen on; to prove that it can be more than an ineffective talk-shop. Yet, thus far, the association has not taken that chance.

ASEAN and Myanmar

It would do other ASEAN leaders injustice to allege ignorance, obliviousness or even complacency as to Myanmar's human rights record. Until recent very positive changes for the better, the country had long been an embarrassment to ASEAN and ever since Myanmar joined, ASEAN leaders have cautiously tried to navigate between the principle of non-interference on the one and morality as well as increasing international pressure on the other hand. In 1997, the time for external recognition had come for Myanmar's generals. Despite significant international opposition, ASEAN admitted Myanmar into their ranks and the military regime assured ASEAN it would keep its house in order.[858] This decision by ASEAN to admit the country was partly due to recommendations by then Malaysian Prime Minister Mahathir. By his own confessions, Mahathir was certain that the best way to improve the deplorable Burmese situation and mitigate the worst impacts of the military junta was to engage the country. He hoped that ending Burmese isolation could facilitate permanent change through a process of economic and social development as well as increasing elite-contacts.[859] Other influential ASEAN elites, such as Singapore's Lee Kuan Yew expressed similar convictions.[860] Without referring to the concept of course, ASEAN leaders implicitly advocated ASEAN's role as norm-entrepreneur, believing in the practical effect of intramural norm diffusion. As time went on however, ASEAN realised that with Myanmar it had admitted a troublesome state. The authoritarian, often ruthless generals would expose ASEAN's weaknesses as an organisation and force it to apply a certain degree of flexibility to its major principles of non-interference and absolute sovereignty. An often cited example is

---

[857] Thuzar (2015b) for an account of extensive media coverage.
[858] McCarthy (2008): 918.
[859] Interview with Mahathir, 13 December, 2015, Kuala Lumpur.
[860] Lee (2011): 324.

the pressure ASEAN exerted on Myanmar following the devastating Cyclone Nargis in 2008, when the junta appeared to be more concerned with blocking international humanitarian assistance than with responding to the humanitarian crisis in their country.[861]

It is certainly no coincidence that immediately following Myanmar's admission, Thai Foreign Minister Surin Pitsuwan proposed the idea of "flexible engagement" which would allow for a more adaptable, case-dependent interpretation of ASEAN's non-interference norm. Other ASEAN leaders rejected flexible engagement, in particular Vietnam and Myanmar, but also ASEAN-wide at the 30th ASEAN Ministerial Meeting (AMM) in 1998. Then Singaporean Foreign Minister Jayakumar defended non-interference staunchly.

> *The surest and quickest way to ruin is for ASEAN countries to begin commenting on how each of us deals with these sensitive issues. Each of us deals with them in our own way, in our common effort to achieve harmony and stability in our societies. ASEAN countries' consistent adherence to this principle of non-interference is the key reason why no military conflict has broken out between any two ASEAN countries since the founding of ASEAN.*[862]

Nonetheless, Surin's proposal suggested that in particular the generals' handling of political opposition and of Aung San Suu Kyi caused great annoyance to ASEAN. Following the 2003 Depayin Incident when members of the political opposition were massacred, in a by ASEAN standards very unusual outburst Malaysian Prime Minister Mahathir called on Myanmar to either end oppressive polices or face expulsion from ASEAN – although this would have been procedurally difficult as there is no mechanism to expel an AMS once admitted.[863] There was also some substantial pressure on AMS governments from local pressure groups across civil society in particular in Indonesia, but also in the Philippines and Thailand in the light of frequent violence against and oppression of opposition by the Myanmar junta. Non-state actors as well as some members of the Indonesian parliament have also

---

[861] Bellamy/Beeson (2010): 272ff.
[862] ASEAN (2012): Opening Statement By H.E. Professor S.Jayakumar Minister for Foreign Affairs of Singapore, available: www.asean.org, accessed: 23/05/2016; also Haacke (2003b): 179.
[863] Dosch (2008): 539; Haacke (2005).

asserted pressure on their government to publically and more forcefully condemn Myanmar's lack of democratic reforms. [864] In the same vein, local civil society organisations and NGOs, some of which of transnational character, such as the Bangkok based Asian Forum for Human Rights and Development worked hard to publically ostracise Myanmar for its abysmal human rights record.[865]

Despite those rare instances of public criticism by ASEAN elites and limited but indeed vocal activity of local pressure groups, ASEAN did not do much to end the junta's oppressive policies and remained loyal to its non-interference principle. Until Myanmar's 2006 rotational chairmanship became subject of discussion in 2005, ASEAN remained officially out of domestic Burmese affairs. Although initially ASEAN wanted to go ahead with Myanmar assuming its scheduled chairmanship duties, due to international as well as some internal (Indonesia and Malaysia) pressure, ASEAN decided that it was inappropriate for Myanmar to assume the role of ASEAN Chair, fearing for its international credibility. Reluctantly, Myanmar renounced its right.[866]

The 2012 incidents of communal violence alarmed ASEAN anew, in particular in the light of the Myanmar chairmanship scheduled for 2014. The human rights situation in Myanmar yet again elicited to some untypically vocal responses by some ASEAN officials calling on Naypyidaw to address the living conditions of the Rohingya. Indonesian Foreign Minister at the time, Marty Natalegawa spoke of '*crimes against humanity*' and that the '*government's treatment of Rohingya Muslims is not in line with its recent efforts towards democracy. Any act of discrimination on the basis of religion or ethnicity is unacceptable*.' By that time ASG Surin Pitsuwan declared that *'ASEAN cannot be perceived to be standing by without taking any action on such a big scale of humanitarian difficulty*.'[867] Naypyidaw's utter repudiation of any ASEAN involvement came as no surprise given that it even refuses to acknowledge or discuss the matter in general. Notwithstanding some vocal individuals among ASEAN elites, the association largely adhered to its overall guiding principle of non-

---

[864] Dosch (2008): 541.
[865] Radtke (2014): 89.
[866] Acharya (2014): 223.
[867] Quoted in Kassim (2012): 2; also Caballero-Anthony (2014): 49.

interference despite the junta's oppression of political opposition over the years, including events in 2012.

Since the 2015 refugee crisis became public knowledge, several regular and irregular ASEAN meetings were held that would be well placed to address the issue. Primarily the AMM but also ADMM meetings and corresponding retreats as well as more specialised conventions, none of which produced or even proposed a plan as to how to deal with the Rohingya crisis. In fact, not once was this specific case even mentioned, at least not publically. Foreign ministers at 48th AMM in August 2015 in Kuala Lumpur for instance reaffirmed commitment to address NTS issues and in particular transboundary challenges. As close as they came to this particular NTS issue, though was referring in general terms to '*irregular movement of persons'*. The end of meeting joint communiqué stated that root causes of this irregular movement should be identified and addressed by the parties concerned[868] – read, not by ASEAN and there is no crisis. Earlier in July, ASEAN had already called a special, ad-hoc meeting within the framework of the ASEAN Ministerial Meeting on Transnational Crime (AMMTC); the awkwardly named Emergency ASEAN Ministerial Meeting on Transnational Crime Concerning Irregular Movement of Persons in Southeast Asia Region (EAMMTC). At this irregular emergency meeting only some two months past the crisis and most likely in all but name called in direct response to the Rohingya, ministers remained at the most superficial of levels. Not once was the Rohingya situation directly identified or addressed, nor were any immediate relief measures agreed upon, although it was known that many were still trapped at sea or in improvised detention camps. A trust fund was set up, to be administered by the ASEC, but contributions were on voluntary basis and funds would be used to support Southeast Asian humanitarian relief efforts in general. No conclusive strategies could be agreed upon and the matter of irregular movement was referred to the Senior Officials Meeting on Transnational Crime (SOMTC) for further discussion. General commitments to fight human traffickers – mentioned in all ASEAN documents nowadays – aside, the only reference point that this author could identify as having

---

[868] AMM (4 Aug, 2015): Joint Communiqué: reference point 35; 36, available: www.asean.org, accessed: 27/05/2016.

any relevance to a potentially increasing ASEAN agency in such matters was the rather vague recommendation '*to explore the possibility of setting up a task force to respond to crisis and emergency situations arising from irregular movements of persons in Southeast Asia*'.[869] The following SOMTC organised at least the first joint workshop Human Rights-based Approach to Combat Trafficking in Persons, Especially Women and Children. During this workshop, ideas were exchanged between the ASEAN Intergovernmental Commission on Human Rights (AICHR) and SOMTC and others relevant ASEAN bodies on how human right perspectives could be applied across Southeast Asia, but no concrete measures were articulated.

The 10th AMMTC meeting in 2015 was even less precise. Only after reference points had identified issues such as illicit trafficking of wildlife and timber as areas of concern, the AMMTC endorsed all those pledges already articulated in previous ASEAN documents, such as Vision 2025, to create a secure community and respond to transboundary NTS challenges.[870] The most important intramural security forum, the ADMM convened its first post-Rohingya crisis meeting in May 2016 in Laos. It is telling that the most significant NTS crisis occurring in between the 9th and the 10th ADMM was not even mentioned at the meeting – at least not officially. The joint statement did however, as usual reaffirm commitment to respond to existing and future NTS challenges, particularly of transnational nature, in an '*effective and timely manner*'.[871] Even the most passionate defenders of ASEAN agency would find it tough to argue against the noteworthy contrast between the strong language in general commitments to human rights in all ASEAN documents and the language, not to mention tangible measures at actual meetings.

AMS Acting, But Acting Outside ASEAN

Unfortunately, crises do not tend to simply disappear. Under intense international pressure, on May 20, 2015 Thai, Indonesian, and Malaysian foreign ministers held a

---

[869] EAMMTC (2 Jul, 2015): Chairman's Statement, available: www.asean.org, accessed: 27/05/2016.
[870] AMMTC (29 Sep, 2015): Joint Statement of the AMMTC, available: www.asean.org, accessed: 27/05/2016.
[871] ADMM (25 May, 2016): Joint Declaration of the 10th ADMM, available: www.asean.org, accessed: 27/05/2016.

tripartite meeting in Malaysia to discuss the *'irregular movement of people into Indonesia, Malaysia and Thailand*.' Although referring to ASEAN, this meeting was undoubtedly extra-ASEAN, involving only the three foreign ministers. They tried '*finding a solution to the crisis of influx of irregular migrants and its serious impact on the national security of the affected countries*.' The joint statement specifically emphasised that '*necessary measures have been taken by the three (3) countries on humanitarian grounds, beyond their international obligations*' and underlined that the issue '*cannot be addressed solely by the three (3) countries*.'[872] While Thailand refused, Malaysia and Indonesia abandoned their turning-away policy and offered temporary refuge to 7,000 Rohingya boat people under the precondition that the international community would compensate all financial expenses. Moreover, the Indonesian and Malaysian offer included temporary shelter only, insisting that resettlement and repatriation must take place within one year. They also called on other regional countries to join their efforts.[873]

Since then, alarming media reports have increased not only highlighting that several thousands are believed to have been left at sea. But also describing very questionable conditions under which Rohingya are detained in Indonesian and Malaysian camps, pending resettlement in a third country.[874] It is also unclear to exactly where those detained could be resettled and over a year on at the time of writing, only the U.S. has offered to accept a small number (52). No ASEAN country has thus far offered permanent refuge. Since Myanmar refuses to acknowledge Rohingya citizenship, effectively creating stateless migrants, repatriation is no option either. As poorly maintained the detention camps in Indonesia and Malaysia may be, Jakarta and Kuala Lumpur acted as valve for ASEAN and took some pressure off the tense situation, and off their own governments.

---

[872] Ministerial Meeting on Irregular Movement of People in Southeast Asia, Joint Statement (20 May, 2015), available: www.nytimes.com/interactive, accessed: 23/05/2016.

[873] All in: Ministerial Meeting on Irregular Movement of People in Southeast Asia, Joint Statement (20 May, 2015): page 4.

[874] *South China Morning Post (29 Sept 2015):* Rapes and beatings spark chaos in Indonesian refugee camp as 200 Rohingya try to flee*; The Guardian* (27 May, 2016): Rohingya trafficking victims stuck in captivity, one year on; *New York Times (20 May, 2015):* Indonesia and Malaysia agree to care for stranded migrants.

Although Thailand was less accommodating at first, the government convened an international meeting in Bangkok on May 29. The Special Meeting on Irregular Migration in the Indian Ocean involved 17 Asian states, including Myanmar and seven further AMS (Brunei and Singapore did not attend according to the official list). Also present were representatives of non-Asian governments as well as international organisations and NGOs, including UNHCR, but interestingly not ASEAN. Results were less than enchanting. The post-conference statement released by the Thai Foreign Ministry [875] reveals that participants agreed on very little substantive measures beyond some emergency funding, vague expressions of solidarity and general proposals. Recommended actions included for instances the promotion of respect for human rights, providing development assistance and enhancing a sense of security and belonging. Jakarta and KL reaffirmed their earlier commitments but refrained from making further offers. Several urgent crisis relief efforts were initiated and in particular the U.S. and the Australian government pledged several million US$ to fund humanitarian action via internationally recognised NGOs. No mention of ASEAN. Remarkably, under the specific reference point *Regional Response*, the meeting noted the tripartite efforts of Malaysia, Indonesia, and Thailand, but again did not mention ASEAN.[876]

One delegate claimed that the Myanmar representative Htein Lin had pushed for other participants not to use the term Rohingya, a typical Burmese request that the others largely obliged by. Htein Lin himself told *Reuters* that no one at the meeting had raised '*the Rohingya question*'.[877] Indeed, the meeting's press release does not mention the Myanmar government, nor does it refer to the Rohingya. Instead, talk is of '*migrants*' and their '*areas of origin*'.[878] International participants were more upfront. According to press reports, UN Assistant High Commissioner for Refugees Volker Turk was said to have addressed Myanmar directly. There could be no

---

[875] Ministry of Foreign Affairs of the Kingdom of Thailand (2015): Special Meeting on Irregular Migration in the Indian Ocean, May 29, available: www.mfa.go.th, accessed: 21/12/2015.
[876] Ministry of Foreign Affairs of the Kingdom of Thailand (2015): Special Meeting on Irregular Migration in the Indian Ocean.
[877] *Reuters* (May 29, 2015): SE Asia vows to rescue 'boat people'; Myanmar seizes migrant vessel.
[878] Ministry of Foreign Affairs of the Kingdom of Thailand (2015): Special Meeting on Irregular Migration in the Indian Ocean.

solution if root causes were not addressed he said, which *'will require full assumption of responsibility by Myanmar toward all its people. Granting citizenship is the ultimate goal*.' Without using the term Rohingya, Turk was also to have said that Myanmar must allow *'access to identity documents and the removal of restrictions on basic freedoms*.' To which Htien Lin replied that Mr Turk '*should be more informed*' and doubted whether '*the spirit of cooperation is prevailing in the room*.'[879] Evidently, Mr Turk did not seem to care much about the ASEAN way of approaching sensitive issues. Singapore's then Foreign Minister Shanmugam said irregular migration needed to be addressed on the ground. He went as far as stating that such issues ought to be addressed in the refugee's country of origin, but stopped short of calling this country by name. Instead, the government pledged to contribute US$200,000 to the trust fund set up by the EAMMTC that should be used to support the efforts of Malaysia, Indonesia, and Thailand in providing temporary shelter. Singapore also offered to consider further assistance, but only if specifically requested.[880] Subsequently, Singapore's Prime Minister Lee Hsien Loong said '*Asean is not one country, and it's not possible for Asean to say, you do that, and you put a stop to this.*' In response to a journalist who had asked Lee to comment on criticism of ASEAN as toothless over this humanitarian crisis the PM said countries '*have to tackle these problems themselves'*.[881]

In sum, ASEAN remained at the margins. In accordance with Charter requirements, the unambiguous identification of NTS as pivotal to ASEAN security and the defined action requirements in the Blueprints, there is a clear obligation with a definite legal basis to problem solving in the specific case of the Rohingya migration crisis of 2015. However, as laid out, ASEAN did not take meaningful action, a few vague references notwithstanding. If meaningful action was taken, it was initiated by individual AMS not ASEAN. But even then measures were inadequate and at best temporary

---

[879] *Bangkok Post* (30 May, 2016): Boat people meet. Immediate help but long-term problems unsolved.
[880] *Channel News Asia* (May 23, 2015): Singapore to offer US$200,000 to support countries providing help to Rohingyas.
[881] *Strait Times* (Jun 5, 2015): PM Lee: Asean can discuss Rohingya issue, but countries have to tackle hardships, trafficking.

problem management. Not that ASEAN is only language. It does not have HRMs in place. Closer inspection of the ASEAN human rights mechanism (HRM) and corresponding provisions illuminates the calamities of ASEAN in such matters and sheds some light on its institutional idleness.

The ASEAN HRM

Table 4.3.1: Regional HRM	AICHR (estbl. 2009)	African Commission on Human and People's Rights (estbl. 1987)	Inter-American Commission on Human Rights (estbl. 1960)
Power			
Independent Monitoring	No		Yes
Independent Investigation	No	Yes	Yes
Own Court	No		Yes
Mandate from binding treaty	No	Yes	Yes
May receive complaints (state, civil society)	No		Yes
Negotiation between parties	No	Yes	Yes
Can make recommendations and proposals to members	Yes		Yes
Power to report publically on human rights situations of parties	No	Yes	Yes
Can request information	Yes		Yes
Power to visit member states	No	Yes	Yes
Urgent action mechanism	No		Yes
Parties required to submit reports on treaty/ declaration obligations	No	Yes	Yes
Own premises, housing bureaucratic body (e.g. secretariat)	No		Yes
Commissioners democratically elected	No	Yes	Yes
Institutionalised civil society engagement	No		Yes
Sessions/Decisions public	No	Yes	Yes

In particular on track-2 level, a HRM for ASEAN had been discussed since the early 1990s. As has been introduced above, prior to ASEAN enlargement and following the Vienna Declaration, ASEAN foreign ministers first stressed the importance of human rights. The 26th AMM's joint communiqué proposed that ASEAN '*should also consider the establishment of an appropriate regional mechanism on human rights*'. [882] As a result, a working group on human rights (HRWG) was instituted and tasked with drawing up proposals for an appropriate mechanism, resulting in the first draft agreement on an ASEAN Human Rights Commission in 2000. In close cooperation with the ASEAN-ISIS, the HRWG made

[882] Joint Communiqué of the 26th AMM Singapore (1993): 18, available: asean.org, accessed: 18/05/2016.

several proposals, including a human rights scorecard intended to monitor progress on national level in terms of the overall human rights situation as well as respective legislation. [883] Among many other more feasible proposals, the scorecard is particularly noteworthy. Although the details had never been worked out, a scorecard would certainly have come very close to issue specific benchmarking by a transnational body with at least some degree of independent monitoring power, de facto introducing first supranational elements into the ASEAN process. Yet, such a scorecard never materialised in the eventual AICHR.

Nonetheless, with the ratification of the Charter, as of 2008 human rights in general and in institutional form became legality.

> *In conformity with the purposes and principles of the ASEAN Charter relating to the promotion and protection of human rights and fundamental freedoms, ASEAN shall establish an ASEAN human rights body.*[884]

In accordance with Charter Article 14, it was at the 2008 AMM retreat in Singapore where ASEAN foreign ministers agreed to set up a High Level Panel (HLP) to draft the Terms of Reference (ToR) for an ASEAN HRM. This was subsequently endorsed at the 42nd AMM in Thailand in 2009. Following belatedly into the footsteps of other regions, the ASEAN HRM, the AICHR was progress as far as Asian human rights are concerned, being the first Asian human rights body. In one of its first acts, the AICHR drafted the ASEAN Human Rights Declaration (AHRD), officially authorised at the 21st Summit in 2012. According to the ASEAN Secretariat (ASEC)

> *The establishment of the AICHR demonstrates ASEAN's commitment to pursue forward-looking strategies to strengthen regional cooperation on human rights.*[885]

Immediately after the AICHR inauguration two years after the Charter first provided for it, plenty of commentators called it "toothless"[886] and table 4.3.1. gives an

---

[883] Caballero-Anthony (2009): 210f.
[884] ASEAN Charter (2007): Art. 14.
[885] AICHR (2014): What you need to know, 10; available: www.aichr.org, accessed 19/05/2016.
[886] *The Wall Street Journal* (22 Jul, 2009): Asean's toothless council; also U.S. Department of State (20 Nov, 2012): ASEAN Declaration on Human Rights; United Nations, UN News Centre (19 Nov, 2012): UN official welcomes ASEAN commitment to human rights, but concerned over declaration wording; *Bangkok Post* (25 Sep, 2012): Civil liberty groups reject 'flawed' human rights declaration draft.

indication as to the reasons for such pessimism. How could a HRM be effective if it may act on consensus only, without court or non-compliance provisions, no independent oversight power, not even a mechanism for immediate relief action? The list of shortcomings goes on. What those international observers do not appreciate are the inner workings of ASEAN. Just like the Charter itself, as outlined in chapter 2, the AICHR is a manifestation of the ASEAN way, a perpetuation of the core constitutive principles under which ASEAN operates. Especially in matters of such, in ASEAN eyes profound sensitivity.

The contentious nature of human rights in ASEAN in general and even more as relating to a potentially regulative HRM was apparent from the outset. Although some AMS favoured a stronger mandate for an ASEAN HRM, there were significant intra-ASEAN disagreements. The Malaysian representative to the HLTF drafting the Charter, Tan Sri Ahmad Fuzi remembers the establishment of an ASEAN HRM as the single most sensitive issue faced by the HLTF, for human rights were a '*taboo'* within ASEAN.[887] Mostly the CLMV states (Cambodia, Laos, Myanmar, Vietnam) opposed an ASEAN endorsement of human rights in general, or at least preferred a potential human rights body with the narrowest conceivable mandate. On the other side of the aisle, o-AMS such as Indonesia and the Philippines were more supportive. Unsurprisingly, particularly those two became proactive intra-ASEAN promoters of human rights following their own internal democratisation. [888] The Singaporean delegate to the HLTF, its chair Ambassador Tommy Koh, recalls that on the topic of human rights the HLFT was effectively split three-ways. According to Koh, the CLMV states were utterly opposed to creation of an ASEAN human rights commission per se, while Indonesia and Thailand were in favour. Brunei, Malaysia, the Philippines, and Singapore occupied the middle ground. At the eighth HLTF meeting the three camps tried to agree on several formulations as to how committed the Charter ought to be to the establishment of a HRM for ASEAN. Since all formulations, no matter how vague were rejected, the HLTF referred the matter up the hierarchy to the

---

[887] Tan Sri Ahamad Fuzi (2009): 21.

[888] Dosch (2008): 536; other have argued similarly Zhang (2010): 263ff; Collins (2014); Hao (2009): 387; Clarke (2012): 15f.

ASEAN foreign ministers for guidance.[889] As is common practice in ASEAN, if issues get tricky under the condition of unanimity, matters tend to be promoted to the AMM. To everyone's surprise, the foreign minister's decision was in favour of the establishment of a HRM and thus, the intention to establish a HRM found its way into the Charter.

Some regional experts have argued that the inclusion of human rights in the Charter and the subsequent establishment of an ASEAN HRM was not the dividend of a normative consensus, but part of a bargain between the pushers and the CLMV states. If the Charter would guarantee a continuation of the consensus-based decision making process, they would agree to the inclusion of human rights.[890] Evidently, the CLMV states saw the prospect of a permanent change to ASEAN process as the greater evil. But Tan Sri Ahmad Fuzi alludes to a further, perhaps even more decisive factor. Although human rights were a taboo, the HLTF faced significant external pressure by advocacy groups as well as some more open-minded AMS, themselves pressured by internal civil society actors. He claims pressure became so intense that human rights became a measure of the very relevance of the entire Charter itself.[891] The Vietnamese representative even suggested external pressure was the main reason why human rights needed to be referenced in the Charter. Nguyen Trung Thanh recalls that the purpose of ASEAN's regional consolidation in line with the community building endeavour through the Charter necessitated human rights references. Remarkably, in the light of international criticism of the Myanmar regime and its human rights record, Nguyen remembers fear among ASEAN leaders that human rights could become '*an excuse for outsiders to intervene into ASEAN's own affairs*'.[892] Indeed, until as late as 2008, Myanmar in particular did not discount a possible U.S. intervention.[893] A study by Avery Poole also shows that ASEAN officials directly connected the reference to human rights in the Charter to the international condemnation of the domestic human rights situation in Myanmar.

---

[889] Koh (2009): 58ff.
[890] Dosch (2008): 537.
[891] Tan Sri Ahamad Fuzi (2009): 21.
[892] Nguyen Trung Thanh (2009): 102f.
[893] Juergen Haacke (2016): 4.

The U.S. Senate had exerted extensive pressure on ASEAN to pay attention to the unacceptable Burmese situation [894] and influential international NGOs directly appealed to ASEAN in the drafting process. HRW for instance wrote an open letter to then ASG Ong urging him to '*implement[ing] a binding human rights mechanism as part of the new Charter.*' HRW argued that the situation in Myanmar showed the need for a binding human rights mechanism with enforcing abilities mandated by the Charter.[895]

It is most striking that human rights had been of such profound significance at the drafting process given that the document in question, the Charter, was the first and primary legal framework for the entire institution that is ASEAN; its very constitution.[896] More important even is the impression that external and also some internal pressure may have been the primary reason for the inclusion of human rights. This corresponds well with Kerstin Radtke's aforementioned "window of opportunity" following the enlargement of ASEAN. Only in the eyes of participants, this "opportunity" was much rather compulsion. Unlike Radtke implies, inclusion was not so much a normative chance but strategic necessity. This is indicative of the substance of intrinsic commitment within ASEAN to human rights in general. This low intrinsic commitment is certainly reflected in the weak mandate the eventual AICHR was endowed with. By and large, it must have been obvious to anyone involved that this context would not favour an eventual strong AICHR mandate. Revealingly, at the ceremony held around the inaugural session of the AICHR in 2009, certain ASEAN governments rejected participation of civil society representatives from their respective country. Also, the leaders of Indonesia, Malaysia, and the Philippines did not attend at all, citing domestic obligations.[897] Nonetheless, given that ASEAN never had a human rights body, Asia-constructivists such as Clarke or Radtke are correct and this was a monumental step for human rights in Asia; *or was it?*

---

[894] Poole (2015): 365ff.
[895] Human Rights Watch (2007): Letter to ASEAN Secretary General Ong Keng Yong. The ASEAN Charter, available: www.hrw.org, accessed: 20/05/2016.
[896] Chapter 2 for information on the Charter and the HLTF.
[897] *New York Times* (23 Oct, 2009): Asean inaugurates human rights commission.

The clue to AICHR's limited value is already in the name. The Terms of Reference (ToR) require the AICHR to be strictly '*inter-governmental*', functioning as a '*consultative body*',[898] also maintaining that '*the primary responsibility to promote and protect human rights and fundamental freedoms rests with each Member State.*'[899] The body's utmost principle shall be guided by '*[r]espect for principles of ASEAN as embodied in Article 2 of the ASEAN Charter*', such as '*respect for the independence, sovereignty, equality, territorial integrity and national identity of all ASEAN Member States*', and '*respect for the right of every Member State to lead its national existence free from external interference, subversion and coercion*.'[900] With those reference terms, the AICHR is effectively regulated by the traditional constraints on suprantationalism of the ASEAN way and consequentially lacks any independent agency quality. Indeed, as illustrated in table 4.3.1, the AICHR's limited mandate provides for not much more than a consultative function, just as the ToR had demanded. It has no independent monitoring power, may not even point out human rights issues without unanimous consent by all AMS governments. It has no permanent bureaucracy, not to mention a court or penal system. No non-compliance mechanism is provided for, nor does the AICHR have any means to initiate or even coordinate immediate crisis relief. Amazingly, at the inaugural session of the AICHR Thai Prime Minister Abhisit triumphantly announced that ASEAN was to endow the AICHR with a total sum of US$200,000 for its first year of operations; $US20,000 each.

The perhaps two most striking and symptomatic flaws are the AICHR's composition and the cultural relativism applied to human rights. Apart from its very name of course, the AICHR's intergovernmental nature is most obviously reflected in its personnel. The ToR unambiguously created a government dependent body by requiring each individual ASEAN government to '*appoint a Representative to the AICHR who shall be accountable to the appointing Government*.'[901] Accordingly, the

---

[898] AICHR Terms of References (2009): 3, available: www.asean.org, accessed: 20/05/2016.
[899] AICHR Terms of References (2009): 2.3.
[900] AICHR Terms of References (2009): 2.1.
[901] AICHR Terms of References (2009): 5.2.

AICHR is composed of ten representatives, one delegate from each AMS on a three-year renewable term. Under conditionality of the overall guiding consensus principle, this directive ensures that individual governments retain absolute control over the human rights regulation process. Each representative is endowed with de facto veto power and simultaneously chosen and seconded by and only accountable to the respective government. Any degree of independent oversight is impossible for the commission to attain. In particular the first AICHR was indicative of what the aforementioned intra-ASEAN cleavage regarding the validity and importance of human rights means in practice. Indonesia for example posted Rafendi Djamin to the AICHR. He holds a Masters Degree in Development Studies and has significant human rights expertise having been a member of the earlier HRWG that had proposed the scorecard. He had also been a long-time human rights activist in Indonesia. [902] While the appointment of Djamin signalled Jakarta's intention to provide the AICHR with some degree of autonomous agency, Myanmar and Cambodia seconded direct government delegates with posts in their respective administrations.[903]

An additional matter for concern is the degree of socio-cultural relativism in Southeast Asia in general and applied to human rights in particular. ASEAN leaders had ostensibly embraced the universality of human rights by way of accepting the Vienna Declaration and somewhat reinforced this in the Charter and the ToR that refer to a '*respect for international human rights principles, including universality.*'[904] However, the same document specifies that the AICHR should only

> *promote human rights within the regional context, bearing in mind regional particularities and mutual respect for different historical, cultural and religious backgrounds, and taking into account the balance between rights and responsibilities.*[905]

---

[902] Rafendi Djamin now serves as the head of Amnesty International's South East Asia and the Pacific Regional Office in Bangkok.

[903] Past and current composition of the AICHR, available: www.humanrightsinasean.info, accessed: 21/05/2016.

[904] AICHR Terms of References (2009): 2.2.

[905] AICHR Terms of References (2009): 1.4.

ASEAN's view on human rights as relative to the cultural context is repeated in the subsequent AHRD. In what could certainly be called an oxymoron, Article 7 reads

> *[a]ll human rights are universal, indivisible, interdependent and interrelated. All human rights and fundamental freedoms in this Declaration must be treated in a fair and equal manner, on the same footing and with the same emphasis. At the same time, the realisation of human rights must be considered in the regional and national context bearing in mind different political, economic, legal, social, cultural, historical and religious backgrounds.*

Even more inauspicious, Article 6 declares that

> *[t]he enjoyment of human rights and fundamental freedoms must be balanced with the performance of corresponding duties as every person has responsibilities to all other individuals, the community and the society where one lives.*

Article 8 then puts the final nail into the coffin of human rights sovereignty de facto subjecting them to individual and sovereign national legislation in order to

> *meet the just requirements of national security, public order, public health, public safety, public morality, as well as the general welfare of the peoples in a democratic society.*[906]

Similarly, Article 16 accepts and reaffirms the earlier provision of the Vienna Declaration that *'[e]very person has the right to seek and receive asylum in another State'* the ASEAN version of a human rights declaration adds that this must be *'in accordance with the laws of such State'*[907] and allows AMS to '*determine the extent to which they would guarantee the economic and social rights found in this Declaration to non-nationals*.'[908]

This reflects the early emphasis on the relativism of human rights in the in the context of the so-called "Asian value" debate, advocated most notably by Lee Kuan Yew and Mahathir Mohamad. The 1993 Bangkok Declaration on Human Rights stressed that human rights must be considered in the context of '*national and regional particularities and historical, cultural and religious backgrounds*' and must not interfere with '*the principles of respect for national sovereignty, territorial*

---

[906] ASEAN Human Rights Declaration (2012): Art. 6-8.
[907] ASEAN Human Rights Declaration (2012): Art. 16.
[908] ASEAN Human Rights Declaration (2012): Art. 34.

integrity and non-interference in the internal affairs of States' promoted only '*by cooperation and consensus, and not through confrontation and the imposition of incompatible values*.'[909] Even at the Vienna Conference on human rights itself, the Singaporean delegation emphasised that a universal recognition of the human rights ideal must not be used by universalist to deny the reality of diversity.[910]

Hence, in spite of all the optimism and excitement, all ASEAN provisions for promotion and protection of human rights relativise their application and implementation of respective laws. Although there were some champions within ASEAN, the final result privileges sovereignty and autonomy of the individual AMS governments over sovereignty of inalienable human rights. Interference by a HRM is anathema in ASEAN, no matter the extent of abuse. National resilience as the principal constitutive element of regional resilience is reinforced.[911] Unfortunately, this negates one of the main principles of recent interpretations of international law, R2P. And if any AMS in opposition to a robust human rights defence in Southeast Asia was still worried outsiders may interfere in their domestic politics on such grounds as human rights, they only need to read the closing Article 40 of the AHRD.

> *Nothing in this Declaration may be interpreted as implying for any State, group or person any right to perform any act aimed at undermining the purposes and principles of ASEAN.*[912]

Supply Meeting Demand?

The APSC is built on the desire to create a harmonious and safe community for all peoples of ASEAN. A community in which human rights and fundamental freedoms are respected and threats and challenges to this harmonious environment are effectively addressed. It has been shown that ASEAN included human rights issues and the effective handling of related issues into a comprehensive perspective on security within the APSC. Asia-constructivists added the normative theoretical

---

[909] Bangkok Declaration on Human Rights (1993), available: www.faculty.washington.edu, accessed: 20/05/2016.
[910] Sen (1997): 9.
[911] Chapter 2 for national and regional resilience.
[912] ASEAN Human Rights Declaration (2012): Art 40.

dimension, seeing ASEAN as a workable forum within which norm-entrepreneurs can infuse and cascade positive norms, facilitating a process towards greater human rights protection in Southeast Asia. Against the background of Asia-constructivist optimism and ASEAN's rhetorical endorsement of humanitarian principles, this case study designed two benchmarks and corresponding KPIs in order to assess the degree of ASEAN's institutional effectiveness, measured in terms of being able to take action and as a forum of ideational exchange where positive norms successfully diffuse. Both are deemed indicative of ASEAN's overall security actorness. A comprehensive overview of one of the most severe man-made humanitarian crises in Southeast Asia, the regional response, and an institutional investigation in the ASEAN HRM in place exemplified ASEAN's tangible impact. We are now able to conduct the final case specific appraisal of ASEAN's actorness by assessing the degree to which the association has met said benchmarks. Has ASEAN functioned as a forum for ideational exchange?; and has this translated into a robust enough mandate in order to engage in meaningful action?

Internal Norm Diffusion – Partially Met

Asia-constructivists saw the development from ASEAN's early days towards a community where fundamental humanitarian principles are addressed and cascaded as a normative evolution across ASEAN. To thus inclined observers, a still on-going diffusion of positive norms is apparent in the developing discourse and subsequent constitutive change and institutionalisation. In order to assess whether the norm diffusion benchmark has been met, we devised several KPIs. We asked for example for tangible evidence that a change in the ASEAN discourse occurred; if it was possible to identify norm-entrepreneurs; and an institutional evolution? Have norms even been internalised and provided ASEAN with an effective mandate? Following the above analysis, this case study concludes that the benchmark of internal norm diffusion has been partially met. On the one hand, human rights norms have found their way into the ASEAN discourse. Some norm-entrepreneurs have been identified and bargains could be struck which led to an institutionalisation of the norm of promotion and protection of human rights. On the other hand, the bargains are not conclusive as the intrinsic quality of cascaded norms and the cascade has arguably

not led to internalisation and not facilitated a meaningful mandate for an ASEAN HRM.

Let us look at the changed discourse first. It appears that the Asia-constructivist explanation is plausible and can account for the development of a general ASEAN-wide discourse on human rights that clearly has taken place to a noteworthy extent. Ever since the Vienna Declaration human rights entered the ASEAN discourse and almost all documents suggest as much. It has been shown in detail how the discourse developed from initial feeble references all the way towards Charter codification. Human rights also firmly entered the APSC. Not only have human rights increasingly been discussed, they have also become a de facto legality in the form of the ASEAN Charter. On basis of the above analysis, this is arguably the greatest credit one can give to norm diffusion; human rights have undoubtedly penetrated the ASEAN discourse and institutional framework. Overcoming this taboo is in itself an achievement and codification of the principle fulfils two functions. First, it can serve as a moral compass for ASEAN elites.[913] Second, even if not adhered to in practice, legal codification of human rights principles provides agents, both officials and civil society pressure groups, with a foot to stand on when making their case for more effective human rights governance across Southeast Asia. Words are not meaningless even if they are not implemented.

This doubtless evolution of the ASEAN discourse is a result of successful initial penetration by norm-entrepreneurs. We could identify several norm-entrepreneurs in the form of both AMS as well as local and international civil society actors who have used ASEAN as a forum for interactive ideational exchange. The above case study showed how Jakarta, Manila, and Bangkok as well as local civil society, particularly in Indonesia, and international pressure groups such as HRW worked towards the inclusion of human rights into ASEAN's constitutive documents.[914] It is a logical consequence that the two most democratic states in Southeast Asia at that time (Philippines and Indonesia) should have been critical driving forces behind

[913] The following chapter will elaborate in more detail on the critical function of ASEAN as a moral compass.
[914] Radtke (2014); Clarke (2012); Collins (2014); Dosch (2008); (2009); Poole (2012).

greater regional commitment to human rights.[915] Evidence for this has been found for instance in the accounts of HLTF members. Indicative is also the posting of Indonesia's Rafendi Djamin to the AICHR. At least as noteworthy and laudable is the domestic pressure asserted by local civil society groups and NGOs in particular in Indonesia, targeting both general democratisation in Myanmar and oppression of opposition by the junta as well as specific human rights abuses. Unfortunately, the tangible impact on ASEAN has hitherto been limited. Moreover, the track-2 literature, in particular Caballero-Anthony [916] made a convincing case as to the positive involvement of the ASEAN-ISIS network and the related HRWG. Track-2 and -3 have had a significant impact on the HLTF and the eventual inclusion of human rights in the Charter. Interestingly, Joern Dosch found that even this track-2 involvement reflected the diverging interests of AMS as far as a formal HRM is concerned. While the ASEAN-ISIS institutes in Manila and Jakarta pushed hard to get this issue into the Charter and in favour of a strong HRM, others were less keen.[917] Overall evidence substantiates both a change in discourse and the agency of norm-entrepreneurs and thus, somewhat vindicates Asia-constructivists.

However, I argue that the norm-entrepreneurship was not sufficiently indigenous to ASEAN elites. Although there was intra-ASEAN pressure to endorse human rights, ever since human rights found their way into the ASEAN discourse, it was an external push rather than internal pull felt by critical decision makers. For making my case here, it is worth recalling Acharya's norm-localisation concept again. As shown in chapter 3, Acharya argues that key to norm diffusion is the ability of local agents to reconstruct external norms to match locally pre-existing identities and cognitive priors. If congruent with the pre-existing normative order, local agents can become active norm takers by modelling foreign norms as to make them fit with local conditions. In the same vein, local norms are rejected if they contradict locally held beliefs and identities and are thus regarded as either illegitimate or even inadequate

---

[915] Dosch (2009): 84; related Zhang (2010): 263ff; Hao (2009): 387; Clarke (2012): 15f.
[916] Caballero-Anthony (2009); (2005).
[917] Dosch (2009): 84.

in addressing the particular local challenges.[918] In other words, if foreign norms can be adjusted to locally pre-existing belief systems, they are more likely to be adopted then norms contradicting those belief systems. However, while not contradicting Acharya's norm-localisation concept per se, this case study suggests the concept is not sufficient in itself. Firstly, it was not the agency of local norm-entrepreneurs alone that facilitated norm diffusion within ASEAN, but also external pressure. Secondly, localisation has taken place, but harmonisation of foreign norms at the hand of ASEAN elites in the context of the ASEAN way's unanimity rendered those initially positive foreign norms almost meaningless. Yes, discourse has changed, but norm-entrepreneurship was extrinsic to ASEAN elites and even internal local ASEAN efforts were either motivated by external factors or too weak as to have a meaningful impact beyond laudable discourse development. As shown above, the 26th AMM in 1993 where foreign minsters' kick-started the discourse and the inauguration of track-2 workshops directly followed the UN Vienna Declaration to which AMS had agreed. In this context of international recognition of human rights and impending ASEAN expansion to include countries with well known human rights problems, there was an increasing awareness of the importance of inclusion of human security in general. In other words, the inclusion of human rights norms was a partly obligatory import of foreign norms, not sufficiently indigenous to ASEAN, some local norm-entrepreneurship by civil society actors aside. Representatives to the HLTF agreed that this formerly out of ASEAN bounds taboo found its way into the constitutive DNA of ASEAN was mostly due to external pressure.[919] There was also a strong connection to ASEAN's "Myanmar problem", i.e. external pressure concerning an AMS' domestic situation that necessitated a strong reference to human rights in the light of possible external intervention. Pressure became so intense that human rights became a measure of the very relevance of the entire Charter.

This argument allows us to explain why norm-entrepreneurs have managed to induce human rights into the discourse, but the quality of the norm remained low. The ASEAN HRM is weak and internal support for ASEAN to take action on that

---

[918] Acharaya (2009).
[919] Koh (2009); Tan Sri Ahamad Fuzi (2009); Nguyen Trung Thanh (2009).

normative basis post infusion is still very low. Although studies show that to some extent individual countries such as Vietnam have accepted the regional discourse and allowed it to trickle down nationally,[920] there is an absence of genuine norm internalisation across ASEAN elites. This is manifest in a weak mandate for AICHR as well as application of cultural relativism.

This is the signal word for the second point. Localisation has taken place and foreign norms became accustomed to what are ostensibly local belief systems. But norms were harmonised at the hands of elites to an extent as to render them almost meaningless in practice. Corresponding with the earlier "Asian value" debate, human rights related norms were interpreted by elites under the precondition of cultural relativity, not universality. This is reflected in the institutional regulative outcomes of the norm cascade in ASEAN, the ADHR and the ToR drafted for the AICHR. All this is not to say that ASEAN leaders are hostile to human rights per se. Again, internal norm-entrepreneurs, including elites in some AMS had a significant influence and localisation of norms is important. It does however reflect the general first instinct across ASEAN to prioritise institutional stability over protection of the individual. Not least due to the heterogeneity of individual AMS in terms of normative and liberal development. This allows us to explain why norm-entrepreneurs have managed to induce human rights into the discourse, but the quality of the norm remained low; quantity over quality in other words. Legitimacy of human rights is low and accordingly, have neither been sufficiently internalised nor institutionalised. Can internalisation be accepted as a variable if it is not translated into a practical mandate? How can norm diffusion be meaningful if norms are adopted without sufficient depth or for the wrong reasons, i.e. for image's sake, and are subsequently weakened as to render them meaningless? The simple essence of the ASEAN human rights commitment is that it never universally existed in the first place. Low intrinsic legitimacy is indicative of the low substance of ASEAN commitment to human rights in practice. This leads us to the second benchmark inquiring about the capacity of ASEAN to take meaningful action.

---

[920] Dosch (2016): APSC – Just a side-show?; Panel Presentation at the LSE Southeast Asia Forum, May 13 2016, London, available: www.lse.ac.uk/SEAC, accessed: 29/05/2016.

Governance Capacity – Not Met.

Thus far, we looked at human rights promotion and protection largely in conjunction. But the critical benchmark of governance capacity requires a differentiation. Norm diffusion is not a simple matter of acceptance or rejection, but corresponding rules need to be implemented in order to reach a plateau beyond political lip-service or "ivory-tower" academia. In other words, principles are one thing and implementation quite another. Mely Caballero-Anthony claimed that human rights found their way into the ASEAN discourse was a milestone norm building exercise that will eventually lead to an enhanced, effective model of human rights governance.[921] The above suggests that this may be too naïve a perspective. In order to assess this benchmark, we set out to measure ASEAN performance by applying specific KPIs that allow measuring the observable empirical effect of successful norm adaptation. ASEAN's promulgated willingness and ability to address transboundary NTS challenges effectively and in a timely manner for the benefit of the peoples of ASEAN within a rules-based ASEAN Community should be expected to be observable on the Southeast Asian ground. We can expect a degree of voluntary compliance with the new standards of acceptable behaviour domestically, but more critical here, regionally. This includes enabling, or at least not inhibiting, ASEAN action. Is ASEAN empowered to take meaningful action on issues concerning human rights?; to initiate immediate crisis response, find long-term solutions, or support individual member efforts?

The above analysis of ASEAN activity leads to the inevitable conclusion that ASEAN has not met the benchmark of governance capacity. It has failed some of the most vulnerable of the "peoples of ASEAN" according to all critical KPIs. The prediction of some Asia-constructivists that the APSC would contribute not only to a normative shift in discourse, but also facilitate the construction of a regional framework with some degree of governance capacity to tackle NTS issues has not materialised, yet. Thus far, ASEAN does not live up to its human rights rhetoric. The first benchmarking effort argued that norm diffusion has taken place to a certain degree. Although

---

[921] Caballero-Anthony (2012) op. cit.

legitimacy is low, inhibiting a robust mandate for an eventual mechanism, human rights norms were nonetheless "promoted" across ASEAN. Yet, ASEAN failure to prevent, or even meaningfully respond to the Rohingya refugee crisis of 2015 evidences that it has failed to live up to the "protection" element of the norm. This I argue is intentional since the norm itself is not considered legitimate. To date, ASEAN has shown itself either unwilling or incapable of addressing the still continuing crisis. Albeit general importance of human rights was acknowledged and the need for transboundary cooperation in NTS accepted, if cooperation occurs it takes place outside ASEAN on ad hoc minilateral basis, reflecting diverging levels of commitment across the heterogeneous ASEAN membership. Even if agreement could be reached on that basis, AMS at best manage, not solve crises, producing suboptimal temporarily mitigating results. As seen with Indonesia and Malaysia setting up temporary camps, provided the UN would arrange speedy resettlement as well as financial compensation. Initial state based effort on May 20 was the decisively tripartite, not multilaterally institutionalised meeting of Thailand, Indonesia, and Malaysia to discuss relief efforts. That it should be exactly those three is only natural being the directly affected Andaman rim countries. Although we saw that foreign ministers warned this issue '*cannot be addressed solely by the three (3) countries*',[922] they agreed on and initiated urgent response measures on minilateral, not ASEAN basis.

Far from igniting an ASEAN-based strategy, as close as the association itself came was the irregular emergency meeting EAMMTC where, the small but commendable voluntary trust fund aside, no consequential relief efforts were initiated. Several further regular ASEAN meetings were held subsequently that ex officio could have, but failed to address the Rohingya crisis. Some humanitarian relief materialised at the crucial Bangkok meeting on May 29. Fortunately, a number of local and international NGOs and several non-ASEAN governments contributed laudably. They did so without as much as even mentioning ASEAN, nor was ASEAN officially represented. Although eight of the ASEAN10 sent representatives, it would be overly

---

[922] Ministerial Meeting on Irregular Movement of People in Southeast Asia, Joint Statement (20 May, 2015), op. cit.

naïve, even simply inaccurate to credit ASEAN with this effort. The meeting took place by invitation of the hosting the Thai government and a number of Asian states, both ASEAN and non-ASEAN, as well as non-Asian states and local and international organisations participated. ASEAN was absent. Thus far, notwithstanding some non-ASEAN immediate crisis responses, no medium- to long-term answers, not to mention possible solutions, have been found. ASEAN has not shown any governance ability, nor has it exercised any leadership whatsoever.

If one accepts the argument made above that human rights have not been sufficiently internalised across ASEAN elite circles and that the human rights provisions there are, are deemed illegitimate and thus, intentionally kept non-functional, the low governance capacity of ASEAN is of course unsurprising. Despite attempts to take ASEAN to task over this transboundary Southeast Asian crisis by launching workshops, special meetings, and a trust fund, procedural barriers constrain ASEAN involvement. The permanent institutional outcome of the illegitimate norm cascade is the AICHR. Due to normatively unaffected ASEAN procedural principles the AICHR is institutionally weak and must inevitably submit to absolute state sovereignty. The association has been unwilling to be flexible or break with its traditional procedures, even in the face of a severe humanitarian crisis originating from maltreatment of a minority local to the ASEAN region and clearly within APSC jurisdiction. The AICHR mandate does not provide for authority over the nation state or to commit or discipline it, or even inquire as to the human rights situation in AMS. Worse, it cannot even address specific cases of abuse. Like all ASEAN processes, the AICHR works according to the unanimity principle and the composition of this body with seconded representatives provides each individual government with a de facto veto on the transnationalisation of human rights. Ironically, the ASEAN HRM relies on the goodwill of mainly authoritarian governments to uphold human rights principles.

The rhetoric-action gap is staggering. In spite of what ASEAN rhetorically assembled in the documents leading to the AICHR, the actual institutional result is significantly less than the language promised. Strong rhetorical commitments to human rights are negated by procedural principles and neither the AHRD nor the AICHR provide any

robust mechanism to “protect” those human rights it “promotes”. In particular, though not exclusively, precisely those AMS with the most dubious domestic human rights record have ensured an institutionally weak human rights mandate. Including rhetorical references to human rights is an easy concession to make if veto constraints on an eventual HRM are upheld. Opposing governments could at later stages prevent non-compliance sanctions and thus, pay lip-service to human rights while eschewing implementation on the national or regional level. In this case, this allows Myanmar to frustrate immediate and long-term humanitarian efforts by ASEAN regarding the Rohingya. Indeed, the Myanmar government even to this day succeeds to not discuss or mention the issue in any ASEAN meeting and statement. ASEAN and AMS thus implicitly reject R2P if a member is concerned. Governance effectiveness succumbed to the ASEAN way and ASEAN has been ineffective in solving a transboundary NTS issue originating in Myanmar. Therefore, ASEAN has been unable to assume a role that would warrant any claim of autonomous governance capacity. Cascading the norm of promotion has not led to protection and ASEAN failed a part of its peoples it pledged to protect. A norm was introduced and diffused. But because it was not internalised, ASEAN stopped short of applying corresponding rules. In other words, Southeast Asia is characterised by the absence of human rights protection despite the presence of human rights promotion and mechanisms.

A Preliminary Conclusion

Arguably, in no other case study has the failure to meet benchmarks been as disconcerting as in this one, for nowhere is the immediate human impact as obvious. The answer to this last case specific research question is therefore a “no”. Although there is some evidence of norm diffusion, human rights norms have not been diffused and internalised across ASEAN sufficiently as to translate into a capacity for ASEAN to meaningfully protect its peoples in cases of human rights crises. Despite ASEAN’s flamboyant, promising rhetoric of being a community guided by normative principles, it has been shown to play a minimal role when it comes to implementation. In the case of human rights in ASEAN, rhetoric is long but

implementation is short. Thus, ASEAN supply has failed to meet demand. Although the norm diffusion benchmark has been met to some extent, human rights have not been internalised and thus, this case study had to conclude that the ability of ASEAN to contribute to a meaningful application of superficially diffused norms is non-existent. The Rohingya refugee crisis has demonstrated that ASEAN's national governments have not succeeded in putting in place effective systems of governance despite commitments to the contrary.

Beginning with norm diffusion, we saw that norms have found their way into ASEAN discourse and Asia-constructivist have been vindicated to some extent. Promotion and protection of human rights were introduced by identifiable norm-entrepreneurs and are now frequently referenced in all critical documents. Indeed, those even became constitutive principles and facilitated official HRMs in form of the AICHR and the subsequent AHRD. Yet, it has also been shown that norm diffusion remained superficial because internalisation has been insufficient. For anyone it would be hard to explain why such high standards were set rhetorically, while maintaining regional interaction procedures that directly contradict an efficient human rights body. Sufficient evidence has been assembled to legitimately argue that the reason human rights were officially endorsed were not norm internalisation. They were chiefly strategic reasons in addition to some internal pressure and procedural bargains. The evident rejection of universalism, the weak mandate, and the continuous reinforcement and perpetuation of the ASEAN way is evidence for the low substance of the rhetorical normative commitment. The doubtless diffusion of human rights norms into the regional and national discourse at the hand of norm-entrepreneurs did not lead to implementation of corresponding rules and practices that logically ought to have followed in order to make norms functional, i.e. give practical meaning to norms that positively impact people's lives. Hence, ASEAN's human rights commitments are first and foremost lip service to an audience.

If this is the case, we asked the question whether this newly introduced norm was doomed to be a paper-tiger. And indeed, when analysing the AICHR and the response ASEAN gave to the immediate Rohingya refugee crisis, it became evident that the governance capacity of ASEAN is inevitably inadequate; in fact non-existing

in this case. ASEAN prioritises sovereignty, non-interference, and intergovernmentalism over those humanist principles written on banners. It is left to individual AMS to decide whether or not to apply those human rights standards individually to which they have signed up as a collective. Individual AMS either protect the human rights of their people or they choose not to. Either or, ASEAN has no oversight or authority.

The best optimists could point to is the laudable pressure local agents have and continue to assert. They could also argue that ASEAN human rights norm diffusion may be at a nascent stage, only slowly gaining a foothold in a region characterised by mostly illiberal governments lacking traditions of liberal values, remembering Wendt who warned ideational change can be incremental and slow. Like all ASEAN security cooperation, Asia-constructivists could highlight, NTS cooperation is still in the development stage and one must be patient and anticipate development. ASEAN HRMs are a stage in a journey, as Clarke has suggested. Yet, unlike the first, the latter argument is unconvincing. APSC is in force as of now and it is justifiable to ask at what point one can make a judgement. The AICHR remains a toothless paper-tiger, currently regarded as both appropriate and sufficient by relevant elites. It is therefore likely to endure. At least to some AMS human rights supply and demand in is perfectly acceptable and serving their purposes. Eventually, Asia-constructivists must face the question of what value norm diffusion and discourse expansion is if implementation and accountability is lacking.

Often, the CLMV states have been blamed for impeding ASEAN's normative turn towards liberalism, allegedly obstructing institutional development. This is to falsely assume that the old AMS were ready to accept supranational monitoring and even compliance authority. Inactivity by Singapore or recent developments in Thailand and Malaysia suggest that this is a simplified perspective. Ultimately, all AMS, even the allegedly more liberal ones, are acquiescent in upholding the ASEAN principles even in the face of human rights abuses. I stated above that principles are one thing and living up to them quite another. 2015 indicates that norm diffusion is not meaningful without implementation. This case study brings home the potential human consequences of the informal, non-intrusive ASEAN way, the absence of non-

compliance mechanisms, and most of all, the lack of ASEAN's ability to effectively govern intramural affairs in NTS. The ASEAN way prevents ASEAN from taking ownership of sensitive issues. ASEAN must stand trial for failing its own devices and cannot realise the principles and goals of the Charter and AC15 without addressing serious humanitarian crises in Southeast Asia. If it fails the Rohingya, it fails significant parts of its community claims. The Rohingya are currently in the unfortunate position to be either living disenfranchised and marginalised under control of an empowered majority who detest them, or being forced to flee their home towards a capricious future. Hope comes in the form of still feeble but positive developments in Myanmar. I shall conclude this case study by yet again reciting ASEAN's own words '*ASEAN's problem is not one of lack of vision, ideas, and action plans. The problem is one of ensuring compliance and effective implementation of decisions*.'[923]

5. Final Assessment

The main subject of this thesis has been Southeast Asian security as institutionalised within the framework of the ASEAN Political-Security Community (APSC), the first ASEAN Community (AC15) pillar. Ultimately, it inquired as to the degree of ASEAN's relevance in meeting security requirements of the APSC, the "supply", against the backdrop of optimistic, indeed ambitious "demand". The ultimate study variable (SV) has been determined as ASEAN's security actorness. Thus far, this thesis' attempt has been twofold. It tried to provide a detailed, critical, but also necessarily selective overview of discourse dominating literature in the International Relations of Southeast Asia. With this it hoped to draw attention to two essential characteristics. Firstly, I alleged a heavy reliance on variables and concepts of traditional constructivist in dominant analyses of ASEAN security. I claimed the interrelation to be strong enough as to warrant devising a new sub-theory of Asia-constructivism. Constructivist bias aside, I also claimed that Asia-constructivist analyses and

[923] ASEAN Secretariat (2007): op. cit.

conclusion strikingly correlate with ASEAN's self-perception. In particular chapter 3 hoped to show that both perspectives are characterised by remarkable optimism as to ASEAN's actorness capability in regional security. I hypothesised that this characteristic optimism innate to Asia-constructivist perspectives could be a consequence of an ideological predisposition and ultimately responsible for a substantial bias as to an empirically unwarranted optimism regarding ASEAN actorness in regional security. I suggested conducting a critical appraisal of ASEAN actorness in regional security multilateralism, measured against the demand put on ASEAN as a logical result from those perspectives. Naturally, the second challenge proved to be uncovering empirical evidence for my hypotheses. Within a three case studies framework, this thesis hoped to uncover sufficient evidence in order to conduct a critical appraisal of ASEAN actorness in regional security and answer the principal overall guiding research question

How great is ASEAN's role in arbitrating, mitigating, and managing matters of regional security in the light of the high expectations that it is subjected to?

As for the structural and analytical design, I approached the appraisal within a "demand vs. supply" scaffolding. Each case study summed up some case relevant perspectives and conclusions of selected Asia-constructivists and ASEAN's own ambitions. Under the umbrella of this overall guiding structure I proposed to apply benchmarking whereby each case study would be subject to a set of case specific benchmarks derived from such optimistic perspectives. I also devised corresponding KPIs in order to assess whether or not the ASEAN supply met the said benchmarks and thus, managed to satisfy the demand.

The purpose of this chapter is now to bring it all together. It will briefly recap a few essential case study results in order to answer the research question and allude to ASEAN's limited actorness. The specific question as to ASEAN security actorness within the APSC pillar will be addressed and answered with the help of case study results. This chapter subsequently draws conclusions as to the implications of this study's research result for its two critical constituents; Asia-constructivism and ASEAN. It will end by suggesting to lower the demand side and to settle for

appreciating ASEAN for what it is good at. In other words, it puts a degree of realism back in ASEAN studies.

5.1. What Did We Learn from the Case Studies?

1. Centrality unfulfilled			2. Security Community missed			3. Norm Diffusion&Effectivity unfulfilled	
Cohesiveness	Convening Power	Competence Power	Dependable expectations of peaceful change	Identity	Conflict mediation	Intramural norm diffusion	Governance capacity
Largely failed	**Met**	**Not met**	**Not met**	**Not met**	**Partially met**	**Partially met**	**Not met**

The first case study inquired as to ASEAN's role in extramural regional security. It attempted to assess the degree of ASEAN's actorness within the realm of the APSC pillar within the ASEAN centrality concept. After analysing a number of individual, yet interconnected maritime disputes in the South China Sea (SCS) over both territory and resources the answer to the case specific research question *Can the notion of ASEAN centrality in the wider regional security architecture be substantiated in practice,* had been a qualified no. While the benchmark of convening power was definitively met, the two critical benchmarks of cohesiveness and competence power had been largely failed and not been met respectively. It was concluded that ASEAN could not transcend the innate Sino-ASEAN power asymmetries. Chinese ambitions are checked not by a cohesive and coherent ASEAN, central to a rules-based order, but by "hard" internal, but mostly U.S.-led and -facilitated external balancing. The APSC is built on the presumption that its members constitute a community. The way this case study interpreted community related to ASEAN's internal unity, its cohesiveness. There were some positives in this respect. Those positives were however entirely depended on a strong ASEAN Chair, under whose guidance ASEAN could find unity in the face of adversity and severe external pressure by China. A strong Chair can take the initiative and facilitate a united ASEAN position resulting in an ability to project a unified and coherent security policy stance and some robust language into the wider Asia-Pacific, in this case addressing China.

Yet, this dependence was also found to have the potential to have the polar opposite effect should the Chair be weak. We also found that ASEAN's heterogeneity in combination with informal and consensus oriented processes allow more powerful outsiders with malign intentions to effortlessly divide and rule ASEAN. In this case study, this tactic had mostly been used to impede progress towards ASEAN's goal of creating a rules-based order.

Asia-constructivists' main argument in favour of ASEAN centrality produced the arguably most critical and contentious benchmark, ASEAN's competence power. Here, case study results proved beyond reasonable doubt that it has been spectacularly missed. Unfortunately for ASEAN, its ability to socialise China into a rules-based maritime security order, based on ASEAN-conceived norms and transmitted via ASEAN-initiated and -led institutions and regimes, has failed. Plenty of factual evidence could be assembled and exemplified that while China indeed signs up to numerous ASEAN security norms and initiatives, this remains entirely theoretical. Not only is the materially more powerful actor resisting socialisation attempts by a collective of weaker states and not only does China not follow up on norms, rules, and principles it has committed to on paper. Beijing has been shown to even work in the opposite direction and directly contradicts its rhetorical commitment. It has even been suggested that China may use multilateral engagement as a strategic, tactical check to its "hard power" approach in the region.

Nonetheless, although we found balance of power dynamics not institutionalised norms governing security in ASEAN-China relations in the SCS, Asia-constructivists have made some great contributions in particular by clarifying ASEAN's convening power. This allows the association to retain some relevance in that it contributes significantly to regional security by providing a useful reference and meeting point for non-ASEAN regional great powers to engage, talk, and build confidence. In particular the political investment of the Obama administration into ASEAN is evidence for that, but also China's continuing participation. This at least suggests that ASEAN is seen and acts as a viable forum for security dialogue. This thesis has however criticised those forums for their notorious failure to deliver results, i.e. to reach the goals they have been set up for. Not only are they often talk shops as

opposed to conflict resolution mechanisms, but they also allow countries such as China to play a geostrategic game and more or less effectively restrict the security agenda. As a result, all security related forums are at best reduced to conflict management. At the same time, they have shown to be quite robust and enduring platforms for regular meetings and exchange, which has been declared a merit in itself.

Subsequently, we turned inside and inquired as to the "S" and the "C" in APSC. More precisely, the case study set out to analyse just how much security and how much community there is in the ASEAN Political-Security Community. The Thai – Cambodia conflict 2008 – 2011 demonstrated that ASEAN is lacking in both. Yet, ASEAN was found not to be redundant in intramural conflict mitigation. Although the case specific research question, *Does the APSC sufficiently satisfy the demands of the security community concept to warrant its name*? had to be refuted, I argued that a Southeast Asia without ASEAN would be less secure than it is now and it partially fulfils the "S". The reason for that positive note rested in the benchmark of conflict mediation. It could be demonstrated that under certain conditions, ASEAN does have the ability to meaningfully contribute to conflict mitigation by facilitating dialogue and offering its good offices. With ASEAN's large number of both regular and ad-hoc meetings ASEAN facilitates important inter-elite contact and confidence building. The doubtless ability to convene stakeholders as well as in this particular case the Indonesian shuttle diplomacy, contributed to conflict management in a very heterogeneous region and a context of increasing hostility. Although some critical efforts eventually failed, there even were auspicious signs of peace monitoring and conflict resolution. The positive conclusion was somewhat tainted when we found that ASEAN leaders showed themselves reluctant to validate their commitment to regional peace and stability when asked to step in. Nonetheless, undoubtedly, despite its many shortcomings, ASEAN offers its members institutionalised as well as ad-hoc and informal, "face-saving" conflict management facilities.

Despite ASEAN's very significant potential for conflict mitigation, the research question had to be negated, for it missed the two remaining benchmarks. Empirical results suggested that in spite of its significant contributions, ASEAN does not have

sufficient security, nor is it a resilient community in an Asia-constructivist sense. The perhaps easiest argument to make was the absence of dependable expectations of peaceful change. Events along the Thai-Cambodian border between 2008 and 2011 led to the unambiguous conclusion that ASEAN is not a security community in a Deutschian, or indeed Asia-constructivist sense. Both ASEAN itself as well as Asia-constructivist and the security community literature they draw on have emphasised the utmost necessity that political disagreement must under no circumstance occur under the condition of violence. ASEAN has even codified this principle as a legal requirement and no intra-ASEAN relations may involve the use or threat of force. The fact that military engagement occurred frequently, including heavy weaponry and leading to dozens of casualties and tens of thousands displaced civilians, ruled out any positive conclusion as far as this benchmark is concerned.

It was also concluded that ASEAN lacks the basic constituent of the "C", identity, identified as a critical variable in Asia-constructivist literature. The "real glue" binding ASEAN Member States (AMS) together was found to be rather fragile since it could be shown that two members of the ostensible community did not display any realisation of a we-feeling. On both sides, narrow self-interests, in this case domestic power politics, easily trumped even the most basic consideration for either the direct neighbour or regional integration as a whole. Bellicose military action and hateful rhetoric was readily employed in order to further domestic political ends. Moreover, regional processes were held hostage to further such narrowly defined, definitively anti-regional interests. The identity assessment could for such reasons not come to any other conclusion than that ASEAN has not succeeded in facilitating identity building on its road to AC15. In sum, while ASEAN has not been very effective in dealing with a serious military conflict and has even completely missed the remaining benchmarks, it would be unmerited to declare ASEAN redundant and pathetic, for it could be credited with a critical mediation role.

Finally, the Rohingya refugee crisis of 2015 served as an assessment of ASEAN's ability to diffuse positive norms within its area of jurisdiction and act accordingly. The case specific research question asked *Have human rights norms been diffused and internalised across ASEAN and translated into sufficient governance capacity for*

ASEAN to act meaningfully in events of human rights crises? In this final case study two benchmarks had sufficed to answer this question with a "no". The major takeaway from that case study had perhaps been best summed up in ASEAN's own words '*ASEAN's problem is not one of lack of vision, ideas, and action plans. The problem is one of ensuring compliance and effective implementation of decisions*.'[924] The case study had to arrive at this unfortunate conclusion because the benchmark of intramural norm diffusion was only partially met; governance capacity was not met at all. Although some evidence of norm diffusion was found, human rights norms were found as not having been diffused and internalised sufficiently in order to translate the high demand into appropriate supply. Despite strong commitments to NTS threats in general and human rights promotion and protection in particular, ASEAN was found unable to meaningfully protect its peoples in cases of human rights crises. ASEAN partially met the first benchmark, for it could be shown that human rights norms had found their way into the ASEAN, even national AMS discourse. Certain identifiable norm-entrepreneurs managed to introduce promotion and protection of human rights, norms that henceforth frequently featured in all critical documents as well wider discussions. Human rights even became constitutive principles and led to the creation of official human rights mechanisms (HRM) in form of the ASEAN Intergovernmental Commission on Human Rights (AICHR) and the subsequent ASEAN Human Rights Declaration (AHRD). To some extent, Asia-constructivist had been vindicated. Nonetheless, we also found that norm diffusion unfortunately remained superficial, for albeit opening up for the discourse, internalisation did not occur. The argument was mostly based on the apparent rejection of universal applicability of human rights and the weak mandate the AICHR is endowed with. Here, the continuous reinforcement and perpetuation of the ASEAN way led to maintenance of regional interaction processes that directly contradict an efficient human rights mechanism. This served as evidence for a low substance of a strong rhetorical commitment. Even in the case of gross human rights violations and a resulting serious non-traditional security threat affecting at least

[924] ASEAN Secretariat (2007): op. cit.

four AMS directly, ASEAN was immobilised and incapacitated to act upon commitments – if anyone had ever wanted to act. It was argued that mostly for strategic reasons human rights had been officially endorsed, resulting in an absence of norm internalisation. Hence, the unquestionable diffusion of human rights norms into the regional and national discourse at the hand of norm-entrepreneurs was not accompanied by implementation. In other words, while promotion of human rights was evident, the protection thereof was deficient and normative commitments were not given practical meaning. ASEAN's human rights mechanisms are paper-tigers and first and foremost lip service to a variety of audiences.

5.1.2. ASEAN Actorness – Walking the Talk?

The task at hand now is to assess the implications of such results for ASEAN actorness comprised of the three defined constituents of this concept. Over the course of the three case studies, it could be shown that supply has largely failed the demand side and both the benchmark assessments and case specific preliminary conclusions have alluded to the principal overall result. Drawing on what we have learnt from the case studies, we can suspect ASEAN actorness to be low, for the individual qualities required for a strong collective security role for ASEAN are either entirely absent or fragile and ineffective – convening power being the only noteworthy exception. Hence, despite a number of positive takeaways, the empirical part of this thesis concluded that most benchmarks and thus, critical constituents of ASEAN's overall security actorness have been missed. On the supply side, the preceding case studies have shed light on ASEAN's role in the three of the most pressing security issues facing the region today. This thesis arrives at the conclusion that ASEAN does have a role to play and is visible in each of the analysed issues – if to a varying degree – but the extent of this visibility is significantly lower than the association aspires to and Asia-constructivist presume. It is therefore consequential, coherent, and appropriate to claim that the SV, ASEAN's actorness supply does not meet Asia-constructivists' and indeed ASEAN's own demand. Therefore, the answer to the principal research question *How great is ASEAN's role in arbitrating, mitigating, and managing matters of regional security in the light of the high*

expectations that it is subjected to? must be negative. Having gathered sufficient evidence and performed detailed analyses, I claim legitimacy for my conclusion that ASEAN's security actorness is, while not insignificant, insubstantial in the light of the high demand it is subjected to.

When analysing the demand side, I argued that Asia-constructivists, corresponding with ASEAN's own image, often presuppose the presence of shared norms and values as their independent variable (IV), facilitating emergence of a shared identity and unity, a strong sense of belonging together, a we-feeling. This ostensibly results in a number of dependent variables such as a high degree of ASEAN agency, autonomy, and community. As a result, I claimed that both Asia-constructivists and ASEAN itself presume a high degree of what I have frequently referred to ASEAN's actorness, based on robust nature of those individual constituents, Asia-constructivist dependent variables (DV). In chapter 1 in particular I attempted to explain actorness by highlighting its most important qualities. Applied to ASEAN security, actorness becomes tangible in the association's role in regional security. Case studies have set benchmarks to analyse such critical elements as ASEAN's vertical policy coherence, i.e. a transnationalisation and synchronisation of preferences and processes, its degree of reliable cohesiveness, or its unity. It was also assessed whether or not ASEAN is able to operate in its own right, relatively independent from capricious sub-actors or interfering outsiders. On the basis of internal cohesiveness, ASEAN should be capable of formulating and articulating coherent goals and policies and substantiate those in practice by implementing and regulating regional interaction in order to meet thus articulated security ends. ASEAN must therefore be more than the sum of its members and evince a common purpose and autonomous ability to formulate, articulate, and operationalise common security goals. It needs a degree of cohesiveness, a community quality in Asia-constructivist words, that aids autonomous agency, a capacity to act collectively and affect change in a meaningful manner on the basis of shared interests, purpose, and shared concerns. To be a credible security actor ASEAN needs the sum of individual actorness constituents such as community, autonomy, and agency.

In the context of both this approach to actorness and the summary of what we have learnt from the case studies, ASEAN does not possess strong enough constituent qualities as to conclude that it has actorness. Looking at centrality first, I have argued that by and large ASEAN centrality is illusive. Asia-constructivist and ASEAN's own claims as to the association's relevance and actorness are based on the presumption that ASEAN is in the driver's seat of regional security multilateralism. Yet, it was demonstrated that despite some laudable efforts, ASEAN is marginalised by either its own members or by external actors who either interfere with ASEAN processes or manipulate those to their own ends. As for ASEAN's agency, the picture is mixed. ASEAN has been shown capable of utilising its indeed significant convening power. It has been explained in length why this is value added to regional security in its own right and therefore partly fulfils actorness requirements. But is convening the powers alone sufficient to claim extramural security agency? Probably not if one considers another critical element of genuine agency. The most critical goal ASEAN has been able to articulate in terms of its centrality in extramural security within the APSC pillar is the creation of a reliable rules-based regional order. Chapter 4.1. has explained that the maritime domain is East Asia's most critical security ground. It is therefore legitimate to draw wider conclusions from ASEAN's unequivocal failure to achieve such reliable rules-based order in the South China Sea. ASEAN has been unsuccessful in meaningfully affecting change in pursuit of this policy goal. Related to this, Asia-constructivists have raised the demand significantly by crediting with what some had termed ASEAN's competence, or socialising power. Certainly, if ASEAN could have been found to meaningfully affect change in regional security by altering the preferences of extramural, perhaps materially more powerful actors, it would have a significant degree of agency. Unfortunately for both ASEAN and Asia-constructivists, it could convincingly be argued that ASEAN has tried but failed. China has not let itself be socialised into ASEAN's rules-based order arranged around ASEAN norms, values, and procedural principles.

In terms of autonomy in extramural security, ASEAN has also failed. ASEAN is not able to reliably act independently to realise vertically coherent approaches. Not much progress is being made in multilateral forums and regimes where ASEAN

centrality supposedly plays out. To a great extent the ASEAN way in general and non-claimants/non-interested AMS in particular are to blame. The former allowed some AMS to spoil any chance of an effective and concerted ASEAN response. Meanwhile, some ASEAN claimants have tried to galvanise others behind their cause in order to realise a more robust autonomously acting ASEAN, but have met great resistance. The degree of ASEAN actorness was found to depend to some extent on the leadership of the rotating Chair, not on institutional substance. Not autonomous, concerted ASEAN action, but capricious individual leadership decides whether ASEAN is side-lined or not. Lastly, this reason for ASEAN mostly remaining at the side-lines also suggests that the community constituent is of low quality. Analysing centrality demonstrated that the unity, or cohesiveness required for actorness is low. In particular because AMS do not seem to have realised sufficiently that they share common security concerns and ought to be united in order to address those concerns. ASEAN has been easily divided by China, suggesting that the community feeling required for genuine security actorness is at least feeble. Overall, ASEAN centrality is not a redundant concept. But in the light of the high demand on centrality, it is of too little quality as to warrant anything but at best a moderate role for ASEAN in wider East Asian security. Instead of ASEAN centrality, we found various national balancing strategies as well as external forces at work in the SCS. The consequentially limited degree of actorness ASEAN has acquired in extramural Asian security over recent decades largely reflects its material capabilities in relation to other powers, existent but low. Or in Bilahari Kausikan's way, ASEAN may well be in the driver's seat, but the occupant of that seat is sometimes only the chauffeur.[925]

The appraisal of ASEAN as a security community led us to conclude that the name APSC is unwarranted since it is not characterised by dependable expectations of peaceful change. ASEAN does however have some agency to show for in terms of conflict mediation. It could be demonstrated that under certain conditions, ASEAN does have the ability to meaningfully contribute to conflict mitigation by facilitating dialogue and offering mediation and good offices. With ASEAN's large number of

[925] Bilahari Kausikan (2014).

both regular and ad-hoc meetings ASEAN facilitates important inter-elite contact and confidence building. The problem was therefore not so much agency as such, but the realisation in practice, i.e. its effectiveness. Autonomy was absent because individual AMS and local elites managed to block any ASEAN involvement whenever doing so advanced their own narrow interests. On the one hand, AMS feared for the survival of critical principles of the ASEAN way, in this case non-interference, and inhibited direct ASEAN involvement on that ground. On the other hand, local elites, such as Thai Prime Minister Abhisit or General Prayuth could easily prevent ASEAN action such as inhibiting peace monitoring as arranged for by a proactive Indonesian ASEAN Chair. Realisation of autonomous ASEAN action was therefore procedurally impossible and despite a strong proactive Chair, ASEAN could not affect change meaningfully. Again, this is due to the particularities of the ASEAN way, but also to the absence of a community feeling. Beyond security and ever closer economic and socio-cultural links, building a strong regional identity to pave the way for deeper community integration has been an AC15 priority. The "C" in APSC was found to be of low quality, though precisely due to a lack of such identity. ASEAN itself, but more importantly Asia-constructivists had claimed a shared Southeast Asian identity as a critical part of the APSC. Unfortunately, in the security community case the set identity benchmark concluded that individual members of this ostensible community have not realised that they had '*something more important in common - namely being a member of ASEAN*', as Asia-constructivists had argued.[926] The "real glue" binding AMS was found to be hollow. An initially minor dispute, certainly manageable if ASEAN would fulfil community requirements, was escalated to military conflict and strongly bellicose rhetoric among two APSC members' national elites who definitively privileged their "I" over the "we". Nor was there any visible vertical synchronisation of interests and it was demonstrated how corresponding foreign- and security policy decisions were guided by national self-interest instead of regional value orientation guided by intrinsic orientation on what is collectively appropriate. Two APSC members have also unhesitatingly held the entire regional

[926] Busse (1999) op. cit.

integration and identity building process hostage to domestic posturing and nationalism; even within ASEAN forums and Summits. They grossly violated community principles under complete disregard of regional integration dynamics. ASEAN is not a “community of caring societies”.

As was the case with centrality, individual constituents of actorness have been exposed as too low as to legitimately warrant genuine security actorness. Hence, while ASEAN does have some agency and limitedly contributes to, but not manages to establish a reliable “S” in the APSC, the “C” is entirely absent here. ASEAN’s role in the intramural security community is reduced to the ability to mediate between stakeholders with both ad-hoc shuttle diplomacy but also in regular and ad-hoc intramural institutions. However, not only is this little in terms of the demands placed on ASEAN as a security community with shared identity. It could also be demonstrated how easily even this limited agency can be rendered ineffective by individual, often very capricious actors.

A final appraisal of ASEAN’s overall security actorness related to its intramural norm diffusion capability and its governance effectiveness. Chapter 3 demonstrated the former as an integral part of Asia-constructivism, while the latter is essential to give practical meaning to norms, once those should have been diffused. We found a partial role for ASEAN in terms of norm diffusion, but saw that ASEAN was unable to substantiate those norms in practice. More precisely, we found human rights “promotion” without “protection”. ASEAN has declared non-traditional security (NTS) in general and human rights in particular a regional priority and anchored such matters firmly within the ASEAN Political-Security Community. But I was left to argue that while ASEAN had virtually no role whatsoever in enforcing human rights protection, even its diffusion role was limited to infusing human rights norms into the political arena, because stakeholders resisted internalisation of such norms once those had entered the discourse. This however would have been a necessary second step in order to increase ASEAN’s governance capacity sufficiently as to provide it with the degree of agency required to support overall actorness. ASEAN has been shown to be both an active agent of norm diffusion across ASEAN, even igniting normative trickle down processes to the national level, and a forum where

identifiable norm-entrepreneurs could go about their business of spreading positive norms. ASEAN was thus integral to coherent identification, prioritisation, articulation, and even codification of preferences. With the help of this significant agency, human rights norms found their way first into the regional and national discourse and subsequently became a legal reality and institutionalised in the form of an official HRM, the AICHR. However, at the same time, an analysis of the unfortunate situation of the Rohingya minority that spurred a severe refugee crisis in 2015 demonstrated that this agency did not extend from promotion towards protection of human rights. Hence, in spite of meaningfully affecting discourse and indeed legal change, ASEAN has not been able to facilitate a problem solution, not to mention to protect the Rohingya refugees or even alleviate their hardship. This limited ability to affect positive change is explained by a shortage of institutional autonomy. ASEAN's shortcomings in this constituent of security actorness became most obvious in the weak mandate the AICHR is endowed with. The case study found that the AICHR was deliberately highly circumscribed, unable to participate in immediate and long-term problem solving in a matter clearly within its raison d'être. It lacks any independent authority such as enforcement of human rights protection, crisis alleviation powers, or judicial oversight. The AICHR does not even possess monitoring power independent from the nation state in question. This lack of institutional independence I argued was related to the wider principles of the ASEAN way. This is for instance reflected in the fact that all personnel is seconded from national governments and bound by unanimity. Therefore, the institutional independence of this ASEAN HRM is non-existent and by extension, the autonomy constituent remains unfulfilled. I argued that the AICHR had been kept weak as a lip service to various audiences, because the promoted norm of human rights had not been internalised across ASEAN but only by some individual actors. This casts doubts as to the third constituent, the community. It was mostly left to directly affected individual AMS as well as the international community to find solutions and alleviate a crisis that would have been in both theory and practice a definitive matter for the APSC. There was a critical split not exclusively, but most obviously between the ASEAN latecomer CLMV states states and the older ASEAN members (o-AMS) over the question whether or not human rights protection ought to be prioritised and

how much independent oversight an ASEAN human rights mechanism ought to be endowed with. Even among the o-AMS divisions were obvious with some more progressive states such as Indonesia and more cautious non-universalists such as Singapore and Malaysia. A common position on such critical norms and values was impossible among AMS and while norms were endorsed, the absence of commonly shared perspective led to a deliberately ineffective mechanism. Overall, ASEAN has demonstrated only a limited amount of agency, while the autonomy and community constituents were absent. Therefore it would be unjustified to prescribe any more than a very limited degree of actorness in terms of norm-diffusion and governance capacity in critical intramural NTS issues.

In sum, one must conclude that ASEAN's actorness is, though not entirely absent, low. This result in particular confirms the fourth hypothesis that was articulated in chapter 1. The optimistic demand cannot be met and Asia-constructivist claims as well as ASEAN's self-appraisal have been exposed as inadequate and excessively optimistic. ASEAN's limited supply does not come close to meeting the demand side. It also qualifies the third hypothesis in that contrary to my pre-analytical presumption, ASEAN is indeed a security actor and does make contributions to both intra- and extramural Asian security. Yet its contributions are limited and ASEAN remains, although not redundant, a security actor with restricted and incomplete means to affect change meaningfully. The principal research question is thus answered.

Two final pivotal questions remain at this stage. First, what does this research and all analyses above mean for the two critical subjects of this thesis, ASEAN and Asia-constructivists. While making genuinely useful contributions to the study of ASEAN, Asia-constructivist will have to go back to the drawing board and revise their variables and way of evidencing. ASEAN meanwhile is an incomplete and very restricted and circumscribed security actor. This is however exactly what its founders and their successor, i.e. all critical stakeholders want it to be. Under current circumstances, ASEAN cannot rise beyond that restricted role if it was to survive and continue to make some limited contributions to Asian security and stability. The final

question is, if ASEAN is neither irrelevant nor the promised institutional beacon of East- and Southeast Asian regional security multilateralism, what is it then?

5.2. Implications for Asia-constructivists – Sound Academia?

ASEAN and the empirical case studies aside, the second critical subject of this thesis has been theoretical, i.e. the one sub-theory that has come to dominate the field of Southeast Asian studies, Asia-constructivism as I have termed and categorised it. Chapter 3 introduced all aspects of this theory in great detail. Asia-constructivists do sound reasonably convincing if ASEAN's own rhetoric is taken at face value. On the surface, the ASEAN Community (AC15) project looms large and the integration process based on the ASEAN way has apparently induced a shared identity and might even appeal to non-ASEAN regional actors. Now the case studies have attempted to reconcile reality on the ground and Asia-constructivists theory, presumption, and concepts and has clarified ASEAN's actorness, this part of the final assessment intends to summarise some of the most critical implications of final results for this school of thought. Although Asia-constructivist fall short in many of their main assumptions, research variables, and analytical approach, neither the foregoing nor the following criticism denies the valuable contribution of constructivism to International Relations (IR) in general and Asia-constructivism in East and Southeast Asian IR in particular. They have for example greatly aided our understanding of ASEAN by showing that norm-diffusion does take place or that mutual perception matters.

Having said this, the case studies have strongly suggested severe shortcomings and some of the most critical concepts of Asia-constructivism have collapsed on the ground of day-to-day regional practice. Therefore, the following intends to highlight some of the most conspicuous problems with Asia-constructivism and comes to the conclusion that thus inclined scholars ought to go back to the drawing board and adjust their research approach, design, and presumptions.

Before this final assessment of the implications for the theory of Asia-constructivism, I remind the reader of this thesis' principle theoretical hypothesis that *Asia-*

constructivism's inherent normative bias obscures empiricism in favour of thick phenomena description and makes assessments overly optimistic as to ASEAN's actorness. Let us see whether or not this can be confirmed or must be discarded.

Thick Description

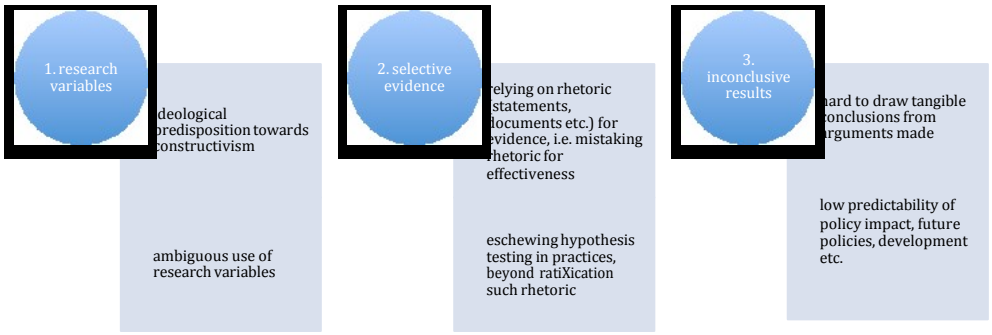
I have accused Asia-constructivists of "thick" phenomena description. I have borrowed this from Jones and Smith who themselves once accused constructivist scholarship in general of relying on it.[927] In contrast to thin description, a neutral description of ASEAN on which all scholars can agree and assessment is not fraudulently influenced by hindering predispositions, the thick description of Asia-constructivists is a causal analysis based on a norm-endorsing ideological predisposition that favours constructivists concepts at the expense of objectivity, which would be characterised by such agreeable and intersubjectively appreciable measures as empirical hypotheses testing.[928] Even Finnemore and Sikkink, identified as constructivists, have admitted that this approach at times fails to produce specific predictions about concrete outcomes, obscuring tests.[929] Thus, the question arises how constructivism, and by extension Asia-constructivism, could ever be validated or falsified beyond their fundamental dogmata. It also begs the question of the value-added of thus inclined analysis to the academic study of ASEAN. I accuse thus informed analyses of being victims of an ideological predisposition, rather than being analytically objective. Without discarding constructivism per se, the case studies have sufficiently evidenced that Southeast Asian regionalism is at odds with Asia-constructivist claims and approaches. Additionally, in particular in the cases of Acharya's, Ba's and to some extent even Evelyn Goh's theoretical frameworks in combination with unsatisfactory ambiguity and often all but non-falsifiable hypotheses make for an over-complicated reading and one wonders whether such undertakings serve academic vanity more than genuine political analysis. Words are not deeds and while some arguments are stronger than others, scholarly debate in

---

[927] Jones/Smith (2007).
[928] Emmerson (2005) for a great analysis of the problem of thick descriptions in constructivist methodology.
[929] Finnemore/Sikkink (2001): 393.

political science should not be an intellectual end in itself, but should advance sincere academia and have clear policy implications. Of course I must and shall substantiate such accusations with the help of a few selected examples.[930]

Chapter 3 has attempted to categorise and critically evaluate this school of thought. Thereafter, this thesis has at various stages pointed to the manifold problems with Asia-constructivist perspectives of both theoretical and empirical nature. Essentially, those can be categorised into three key issues; theoretical; empirical; and concreteness. Each of those problems raised doubts as to the validity of Asia-constructivist claims at various points over the course of this thesis.



The Problem of Selective Evidence

Throughout this thesis, I have drawn attention to the parallels, even echoes between ASEAN self-appraisal and Asia-constructivists notions of ASEAN's abilities. Internally, research for example looked at whether AMS had indeed reconciled their regional and national interests in ways conducive to security community building, or whether norms could be diffused sufficiently across ASEAN to realise idealistic targets. Externally, it was checked if ASEAN really is the fulcrum of East Asian institutionalised security multilateralism, or what it even means to be the fulcrum. Simply hosting or perhaps even socialising China; can the tail really wag the dog?

Given the importance of empirical validation of academic work in political science in general as well as the unusually broad academic consensus about ASEAN actorness in Asia-constructivism and the often far-reaching claims such scholars make, it is

---

[930] All examples are taken from analyses reviewed in chapter 3 and shall only be criticised, not summarised here as this has been done sufficiently.

surprising just how little systematic empirical tests, such as case studies, have been devoted to ASEAN by Asia-constructivists. Asia-constructivists have assembled a set of resounding narratives that are mistaken for evidence. Instead, they engage in cross-referencing within a close-knit and likeminded academic circle and substantiate claims with often dubious, sometimes even meaningless support. Even if one was well inclined to constructivist preferences and concepts, one would find many arguments unconvincing due to a lack of substantial support.

For example, Estrella Solidum has exclusively relied on ASEAN statements in support of her indeed sweeping conclusions regarding ASEAN's ostensible like-mindedness, cohesion and unity. In the light of case study 1 and 2 though, one suspects she has taken ASEAN's political rhetoric at face value and relies on the association's self-proclamations in lieu of evidence. If this is true or not, it is justifiable to inquire as to her evidence and primary sources. In this particular case, Emmerson has already outdone the best criticism I could possibly level against her.

> *What Solidum means by primary is official. Had she interviewed government officials for their possibly authoritative accounts, consulted knowledgeable critics of ASEAN (including ex-officials) for their alternative views, and then made up her own mind, she would have illustrated the value of obtaining original evidence. But her endnotes credit no interviews at all. Her book relies instead on a selection of secondary writings about ASEAN and, above all, on official ASEAN statements. Her single most frequently cited source is the Association's 1998-99 annual report. The uncritical nature of her conclusions surely reflects her method.*[931]

Other Asia-constructivists such Hiro Katsumata, Mely Caballero-Anthony, and Alice Ba are guilty of a similar offense. In his analysis of the ASEAN Regional Forum (ARF), Katsumata concludes that the ARF is East Asia's a security norm-brewery. Katsumata declares that he seeks to explain events in the real world, just like rationalist schools do. The sources he consults for this optimistic conclusion are official documents. He reasons that since all participants had agreed on those, the here codified norms provided a legitimate research base. Below, I will highlight the problem with relying

---

[931] Emmerson (2005): 8.

on ASEAN consensuses for evidence. As for now though, I remain sceptical regarding codification of normative principles without practical adherence. Katsumata backs his research up with interviews conducted with mostly Southeast Asian participants who turn out to be all stakeholders in the ARF process. Despite this obvious bias, he derives a set of apparently commonly shared ideas that serve as evidence. Lastly, he cites his intensive studies of literature on institutions in the Asia-Pacific, referring exclusively to authors who could with some legitimacy be themselves included in the Asia-constructivist category; or even are included in the case of Amitav Acharya, whom Katsumata also frequently references. Mely Caballero-Anthony and Alice Ba both acknowledge in their respective assessments of ASEAN's engagement with China that ASEAN-led forums have not yet solved any conflict. But both conclude that those forums are successful in their objective to be an ASEAN-led norm-building mechanisms. By way of evidence, Caballero-Anthony emphasises for example Chinese participation in confidence building measures (CBM) while Ba relies on China's signature underneath the Treaty of Amity and Cooperation (TAC) as well as some multilateral participation for evidence. Both unfortunately fail to produce any convincing explanation as to why those "achievements" matter, to what extent ASEAN can be at all credited, and in what way this affects Chinese policy and behaviour beyond rhetoric.

Asia-constructivists fail to convincingly answer to what extent ASEAN plays a significant role or meaningfully affects regional relations; ultimately, how ASEAN can be relevant. All they offer are ASEAN-initiated regimes and institutions and major power participation. This final assessment as well as the case studies have tried to rectify the lack of evidence partly responsible for the implausibility of Asia-constructivism. Results however do not support their optimism and are indicative of the argument made here that oftentimes Asia-constructivists mistake rhetoric and political manoeuvring for evidence, indicative of their normative predisposition.

The Problem of Ambiguous Research Variables

In the tradition of traditional constructivism, plenty of ASEAN studies rely on such research variables as norms, identity, we-feeling, shared perceptions, and value intersubjectivity. The problem often appears to be the lack of precision as to their

centre stage concepts as well as their usage. This is arguably the greatest problem with Asia-constructivism. I intend to highlight two essential problems arising from this, though the list is easily extended. First, Asia-constructivism cannot be a predictive theory since the causal impact of their independent variables (IV) and intervening variables (IntV) on outcomes and events is hard to explain and evaluate if all variables are used at will as dependent variable (DV), IV or both and often tautological. Secondly, those variables lack clear definition and are too vague as to be intersubjectively understandable by all and thus, testable. This is academically unsound. The question arises how can we account for the validity of Asia-constructivist arguments? And how can one assess ASEAN's relevance if analyses are based on variables that can explain everything and nothing, are unable to make predictions, deliver at best partial explanations, and are too insubstantial as to be appreciated across the academic world, including non-constructivists? But this is precisely what Asia-constructivist endeavour. Adler and Barnett for instance assessed ASEAN's contribution to a security community in Southeast Asia and argued that a shared identity facilitated community building and standard of appropriate behaviour in form of norm acceptance. Jetly on the other hand regards the normative basis of the ASEAN way as the cause of regional stability. Those two weaknesses challenge Asia-constructivism's worth.

It is in particular Amitav Acharya whose pervasive reliance on norms and identity obscures appreciation of his indeed highly sophisticated and stimulating arguments. Chapter 3 introduced his work extensively. In most of Acharya's research, the IV is a vague understanding of norms unfolding in a state of a diffuse pre-norm social environment, the local "belief system". Local agents become the intervening variable initiating localisation of norms that subsequently become appropriately adjusted, localised versions of formerly alien norms, leading to DVs such as new shared, but homemade identities and communities. Given the utmost significance of norms in such arguments, Acharya remains ambivalent as to their origin and what was before localisation as well as to the function of norms. Which norms are constitutive, which regulative. He does clarify the origin of certain selected ASEAN way specific norms, some of which are apparently adopted from the international community and

localised in Southeast Asian agents. But the ambivalence remains because he fails to accounts for critical questions such as what came first, socialisation or norms, and the reasons behind norm adoption in the first place. For instance, if norms are the IV, localisation the IntV, and localised norms one of the DVs in analyses of ASEAN regionalism, then norms both drive and result from integration, suggesting tautology.[932] We can readily accept Achraya's introduced claim that legal-rational norms and socio-cultural norms in combination make up the ASEAN way. His localisation concept argues that the ASEAN way itself is the result of a local adjustment of foreign norms. If so, then logically norms are both IV and DV.

The question where they originally came from also remains unclear. If norms are foreign and adjusted in accordance with local belief systems, then I suggest that not only are norms both IV and DV, but the same applies to identity, for what is a local belief system if not an identity? Acharya argues that specific ASEAN norms derived from localisation of foreign norms, modified by local agency in accordance with pre-existing local beliefs. ASEAN elites in this case become active norm-takers by adjusting foreign norms to fit the indigenous cultural and ideological background. The outcome is the ASEAN way that facilitates a burgeoning ASEAN identity and eventually a community. Acharya argued that regions are first imagined and then constructed. He analyses how AMS institutionalised regional socialisation within ASEAN and ASEAN-based institutions and how that process allows ASEAN leaders to imagine themselves as part of the distinct region, leading to the DV of deeper institutionalisation. The imagined community is defined as '*an existing set of ideas, belief systems, and norms*' of which sources include '*integrated systems of beliefs*.'[933] This cognitive prior has then led to an institutionalisation of regionalism within which regional identity gradually developed.[934] Identity is therefore not pre-existing but a phenomenon evolving from the interaction among Southeast Asian states on the basis of a shared belief system. His logic therefore assumes the existence of

---

[932] Khoo (2004) has made a similar argument about some specific norms of Acharya and has elaborated this problem in greater detail; also Legro (1997) for the problem of tautology in constructivism in general.
[933] Acharya (2009): 21f.
[934] Acharya (2000): 163.

intersubjectivity from which identity subsequently developed. ASEAN regionalism began, he argues, '*without a discernible and preexisting sense of collective identity'* but ASEAN founders '*clearly hoped to develop one'*. At the same time, the founding of ASEAN '*drew upon indigenous social, cultural, and political traditions which would all find their way into ASEAN norms'*. [935] In other words, a system of beliefs underpins the imagined community as ASEAN's cognitive prior. Again, how does a shared system of beliefs differ from identity?

Again, the use of IV and DV is unclear. What is more, the ASEAN way is therefore the result of an incremental socialisation process, norm localisation, and produces regulatory and constitutive effects, norm adherence in Southeast Asia. But the question as to exact constitution of the pre-localisation state remains. After all, socialisation processes do not occur in a vacuum but in a context of local belief systems. Yet, what are those belief systems if not norm adherence? Acharya could theoretically now explain that a belief system is something other than identity. Chapter 3 however showed how Ted Hopf and other constructivists argued that identity is the relation of oneself to its surroundings; the appreciation of who one is and who others are and what unites and what separates one actor from another. This definition of identity is congenial to Acharya's shared beliefs. Those may indeed be precisely what constructivists would call identity. I would do Acharya injustice and he could claim that this definition is not what he understands identity to be, had he not himself referred to Hopf and precisely this definition in his work.[936]

The problem of tautology and causality has been highlighted, but critical positivist observers could also point out one further crucial weakness of such variables, their measurement. How can one ever account for identity and how can identity and identity formation be measured and verified? Related to this, how can one account for identity change/evolution? Although, Acharya has provided a yardstick for identity measurement, Nicholas Khoo has, in possibly the most scientifically sound criticism of Acharya's research design, pointed out that all three of Acharya's

[935] Acharya (2014): 24.
[936] Acharya (2014): 23.

indicators (commitment to multilateralism; development of security cooperation; boundaries of membership) are flawed.[937] Although Khoo's critical evaluation of the third of Acharya's measurement tools is weak, his critique of the former two is a blow to one of Acharya's most critical variable and by extension his entire research design. Chapter 2 of this thesis has shown that Article 6 of the Charter offers clarification of who may be included or excluded from the community; who constitutes an outsider and who an insider. Thus, ASEAN offers as precise a definition of it boundaries as Acharya expects. However, Khoo convincingly argues that the first two criteria are precisely measures not of identity but of threat perceptions, reminding analysts more of Walt than Wendt.[938] Hence, in what is a chiefly constructivist research design, Acharya's theoretical rational is beset with irregular theoretical eclecticism, occasionally resorting to rather rationalist-materialist reasoning.

In sum, Acharya is ambiguous in his use of research variables and this is reflective of a general weakness in Asia-constructivism, indeed all constructivism. IV - DV relations are unclear. As is what norms emerged when, why, and whether they are cause or effect or both. All this is at best imprecise, at worst too diffuse to accept. But given that norms and identity are often the two critical variables, it is justified to ask for clarification. Things become even more tricky for Asia-constructivist literature when we ask for empirical evidence. Collective norms are said to have a constituting effect on the actual behaviour of AMS. Thus, we should be able to detect a cooperative behaviour in Southeast Asia. Thinking back to this thesis' case study results, we find that even if norms exist, they rarely have a meaningful impact beyond the paper they are written on. But this has been sufficiently argued above.

Frankly, Asia-constructivists are guilty of basing their analyses, hypotheses and sweeping claims on unclear foundations. This also, like the other criticism in this chapter, suggests intrinsic ideological predisposition, a constructivist bias. Instead of starting from a critical vantage point, questioning ASEAN's cohesion, institutional

---

[937] Khoo (2015): 183.
[938] See Khoo (2015): 183.

robustness, and tangible impact, Asia-constructivist begin by accepting constructivist variables and eschew evidencing. At the very least, Asia-constructivist ought to attempt clarification so that their claims become academically sound and intersubjective.

The Problem of Community

A further problem in Asia-constructivism is the significant community overload. The idea of community has been extended to account for an ostensible Southeast Asian identity, communal spirit, and the bonding of nation states in order to overcome the adverse condition of *realpolitik*, of anarchy and national self-interest. Echoing ASEAN rhetoric, virtually each Asia-constructivist approaches ASEAN in community terms, defined by a subjective, imagined, and reciprocal sense of belonging together; a common identity and we-feeling by which members intrinsically act according to a shared value orientation. Asia-constructivists have accepted the traditional constructivist notion that interests and by extension community derive from shared identities. Identity is therefore the main constituent of community, as explained in chapter 3.

The true test for ASEAN's community quality arises whenever national interests collide with regional commitments. The more ready AMS are to sacrifice the latter in order to service national interests, the less substantial the regional identity and with it the community. Yet, we know that Asia-constructivists tend to avoid such tests. But case study 2 in particular suggested ASEAN may still have a long way to go to reach the Asia-constructivist community. Case study 1 and 2 both showed that not even the necessary IntV of identity merger has taken place in ASEAN, not to mention the DV of community. Elites in AMS have not engaged in a process of self-reflection in order to redefine the self and the other and in ASEAN, identity is not regional we-feeling but more often than not national I-feeling. In particular the notion of the security community is misleading. Certainly, intramural relationships have significantly improved since the founding of ASEAN and the end of Konfrontasi. There is also a stronger sense of the need of more cooperation across policy issues to the benefit of regional stability. But fundamental, often instinctive barriers remain as the Thai-Cambodia conflict has shown. In this light, it is hard to argue that AMS

are united by a common Southeast Asian identity and have come to realise that they have deeper values in common and share a common destiny.

Community proponents therefore see the ASEAN10 as more than the sum of ten AMS. But it is not; and, as this thesis argues, it does not need to be. National and regional resilience are the defining principles of the political ideology across Southeast Asia. National resilience and the continuing obsession with domestic stability and political autonomy remains the primary goal across the region. Regional resilience takes account of the perceived fragility of ASEAN as the organisation of diverse and comparatively weak post-colonial nation states. The strong emphasis on the ASEAN way and the deliberately resulting institutional weakness accounts precisely for that. The apprehensive perception of fragility vis-à-vis outsiders is deeply rooted in the political DNA of all ASEAN Member States. Transnational identity and inter-governmental norms are an oxymoron. Community is therefore to be found in the realisation of a more or less sound modus operandi. In ASEAN, community is simplistic and minimalist, not a mature *Gemeinschaft* of value-rational action and the redefinition of self. If there is any sense of ASEAN identity, then it has at best been an inter-elite understanding of what ASEAN ought to be used for in terms of the wider regional economic and security architecture, i.e. maintain ASEAN as an inter-governmental avenue for regional interaction to ensure a basic degree of stability and civility while paying lip-service to normative principles to further secondary goals. ASEAN's essential task then is to manage relationships in order to preserve a level of order and civility in a region where order and civility cannot be taken for granted. Indeed, viewing ASEAN as more than a heterogeneous coalition of purpose is to buy into an Asia-constructivist utopia.

Asia-constructivists have frequently argued that ASEAN is still young and needs time to develop into a sound community as they see it. As we recall, traditional constructivists had warned that identity formation would be incremental and slow. Outside of the academic ivory tower though, this risks eternal deferral of a serious appraisal of ASEAN's qualities. All barriers and counterexamples to shared ASEAN identity formation, such as the Thai-Cambodian conflict, can be dismissed as short-term disruption of an inevitable positive long-term trend. This leads to non-

falsifiability of Asia-constructivists claims. Such as Amitav Acharya's claim in 2001 that ASEAN was a normative community, making good progress towards constructing a Deutschian security community. A story he retells in precisely the same words 13 years later.[939]

As is so often the case in ASEAN, it is a Singaporean leader who finds the most rational words. Following the 27th ASEAN Summit in Kuala Lumpur, Lee Hsien Loong noted that

> *[o]ne of the constraints on governments - and one of the reasons Asean finds it difficult to make progress together - is [that] there is not a very strong sense of Asean identity: it's really a Singaporean identity, a Malaysian or Indonesian identity. People don't think of themselves as being Asean, except when you have an Asean meeting and you have sing-songs together and you see what the ideal is. But to go from that ideal to a reality, I think there is some distance yet.*[940]

If even ASEAN leaders are sceptical of something called an ASEAN identity how can external pro-identity pundits be that certain?

The Problem of Centrality

The final problem I intend to highlight is that Asia-constructivists have misunderstood both the meaning and the value of centrality. ASEAN's centrality is a concept as frequently used as it is misunderstood. ASEAN talks of its centrality as the central lifeline for its continued relevance amidst great powers in East Asia. ASEAN's claim to centrality rests on the claim to be both neutral and the only actor capable of facilitating viable dialogue. After all, China would be less willing to participate in U.S.-led forums and vice versa. Bilahari Kausikan's already referred to driver-chauffeur analogy helps to understand centrality. Centrality is not accepted by the great powers, but convenient to them. Most in ASEAN have understood that being the driver of regional multilateralism means not much more than being the chauffeur. Asia-constructivists on the other hand have been led to believe that ASEAN's position of being the convener is equal to power. By signing up to ASEAN-based

---

[939] Acharya (2001); (2014).

[940] *The Straight Times* (23 Nov, 2015): ASEAN Summit. Forging shared ASEAN identity a top priority: PM Lee.

multilateralism, Asia-constructivists expect that eventually the interests of the great powers would shift, giving rise to an identification along ASEAN norms to which they have been inspired in ASEAN-led multilateral forums.

A great example is the Chinese security strategy vis-à-vis ASEAN. Asia-constructivists continuously refer to participation of major powers in ASEAN-led regional security forums and cite this fact as evidence for ASEAN being in the driver's seat of regional security by setting the agenda and determine the process of such forums. China's increasing interest in ASEAN initiated and -based regional institutions and regimes, in particular the ARF, TAC, and ASEAN+3 is seen as evidence for the transformative power of norms and processes because Beijing apparently demonstrated that it has moved from norm-avoidance to norm-acceptance. Both state interests and regional identity had undergone a process of transformation. Indeed, on paper, China has become increasingly content with ASEAN processes. But in case study 1 we found that in reality there is no effort or interest by any of the participants, individual AMS and external powers alike, to cooperate meaningfully beyond the pursuit of the own national interest. Beijing's actions on the ground are in striking contrast, almost polar-opposite to the principles it has signed up to. ASEAN's state centric, consensus oriented and conflict avoiding norms play into Chinese hands. China intentionally maintains an atmosphere of ambiguity by joining institutions and regimes while labouring hard to keep all substantial security issues and conflicts off the regional agenda and simultaneously changes the status quo on the ground. ASEAN has not been able to determine and spread regional norms as Asia-constructivists imply. The great powers have rather seen the usefulness of ASEAN-led extramural forums useful to their own end.

True, AMS do gain significance by hosting high-level forums, just as the chauffeur has a certain degree of agency in the car. However, as is the case with internal ASEAN processes, there is no dispute settlement procedures or any other form of compliance mechanisms. The entire process is more CBM than anything else. In particular case study 1 has shown that centrality reflects not ASEAN's competence power but lack of strategic clout. Bizarrely, precisely because ASEAN is weak and engagement with ASEAN is essentially free of consequences, major powers accept

ASEAN. There are no political costs involved. If this was any different, great powers would decide not to participate. However, ASEAN cannot determine or even alter the great power's key interests. ASEAN's role is rather limited to that of being the host, or the chauffeur, not the boss giving directions.

In this light, ASEAN centrality is, albeit a factor, marginal and thus, in itself hyperbolic. This is not to say that centrality is a security basket-case. Case study 1 found that entertaining cooperation and negotiations when no one else would but everyone should, is a valuable contribution. Just like the chauffeur contributes to the boss' work. But in the light of expectations of competence power, this analysis has therefore severely disappointed Asia-constructivist notions of ASEAN's centrality. Asia-constructivism refuses to acknowledge the basic fact that whatever institutional development ASEAN undertakes, the reality persists that an association of weak states can perhaps guide the course of action of stronger ones, but it cannot by itself determine their preferences and behaviour. They can contribute to the policy considerations of more powerful states, but they cannot determine the nature of their interests. Asia-constructivists have simply misunderstood the idea of centrality.

Back to the Drawing Board

In a context of post-Cold war erosion of the pre-eminence of state centric order, constructivism emphasised the important role of norms and their transformative power, the role of institutions in overcoming *realpolitik* and nation state identities. Asia-constructivists see ASEAN and its AC15 rhetoric as the practical confirmation of the substance of their ideas. An epistemological bias towards normative frameworks of analysis and ideational concepts predated both critical considerations and empirical observations. As a consequence, Asia-constructivists have begun to analyse ASEAN in a state of ideological predisposition, fed by a strong sense of anti-realism, post-materialism, and over-accentuation of sociological concepts that are misplaced in IR. In other words, Asia-constructivism is normatively biased academia.

Only the practice on the ground has been shown to look rather different. Given Wendt's warning that transformation processes are incremental and slow, Asia-constructivists can and do dismiss inauspicious events and trends as temporary

obstacles on a long-term path headed towards a normative fantasyland. Those visionary analyses are useful academic thought experiments, but they do not withstand empirical analysis. Such analysis has been performed here, though and shown to be dominated by intergovernmental practice, a distinctive lack of transnational identity, the absence of a security community, and ultimately demonstrated the limited impact of norms and ideas. In sum, the principle hypothesis can be confirmed. Though contributing to a holistic understanding of regional security, as they stand, Asia-constructivist concepts are not workable, are too confuse and diffuse as to be intersubjectively plausible, and cannot be substantiated in practice. The academic horizon has been broadened, but essentially, Asia-constructivists ought to go back to the drawing board.

5.3. Implications for ASEAN – An Organisation in Peril?

The implications for ASEAN are a lot less severe. The empirical part of this thesis has drawn attention to two parallel phenomena. The region displays both a significant proliferation of ASEAN-based institutions, declarations, and goals and at the same time continued regional insecurity. This suggest that ASEAN actorness in matters of regional security has been instrumental but less effective than both Asia-constructivists and ASEAN itself expected, or at least claim to be expecting. However, unlike Asia-constructivists, ASEAN cannot go back to the drawing board. Although the value-added of ASEAN multilateralism and its institutions to regional security is significantly lower than what the association has promulgated, ASEAN plays a critical, arguably irreplaceable role in regional security and would perish if extensively reformed. Before highlighting why this is the case and what this means in ultimate conclusion, it is worthwhile to briefly recap two of ASEAN's most pivotal assets that contribute to regional stability.

ASEAN's Strengths – The Merits of Process.

This thesis has thus far concluded that ASEAN security actorness remains unfulfilled and the case studies have consistently pointed to the many weaknesses of ASEAN. Those are largely due the relative material weakness of AMS, their complex history,

the association's heterogeneity and most of all, ASEAN processes under the guidance of the ASEAN way. All of this has been rightly criticised, especially when weighed against aspirations. Yet, ASEAN is not an "illusion" as some observers maintain.[941] Under the current circumstances of complex strategic relations in a potentially conflict-prone, heterogeneous region, ASEAN's security role is, albeit severely constraint, without conceivable alternative. What ASEAN does in the field of security at least contributed to establishment and maintenance of stability, order, and civility. This research had promised to deliver a critical but fair appraisal of ASEAN. Hence, the final paragraphs of this assessment chapter shall emphasise and acknowledge ASEAN's value-added to regional security and to that end recap two of ASEAN's greatest strengths that became implicitly apparent over the course of this study, ASEAN's intra- and extramural convening power as well as its role as the region's procedural and moral guide, a compass through complex regional relations. Both are valuable process oriented means to work towards precisely this stability ASEAN has initially set out to deliver.

Convening Power - External and Internal Networking

Asia-constructivists – and implicitly ASEAN itself – have credited the ASEAN specific process, i.e. the ASEAN way as the firm foundation for AC15 and ASEAN's ever closer engagement of extramural powers. Given that the process in question specifically reaffirms state-centrism and privileges sovereignty over supranationality, this is somewhat paradoxical. We are by now well aware that the ASEAN way intentionally creates a framework of low institutional substance; a regionalism light. Meanwhile though, despite or arguably precisely because of the non-committing nature of the ASEAN way, the association has managed to establish and maintain a dense framework of meetings, summits, workshops, and many other exchange forums for policy dialogues and CBMs spanning all avenues of diplomacy from track 1 – 3 from which peer-to-peer networks emerge and deepen. In plenty of books written on the institutional culture of ASEAN, the list of acronyms tends to be several pages long. This reflects the fact that ASEAN regularly hosts a staggering amount of meetings

---

[941] Jones/Khoo/Smith (2013): 119.

and may have taken institutionalised dialogue to the extreme. While this thesis has justifiably criticised many such dialogues for their lack of concrete results, it has also found them to be surprisingly valuable beyond meaningful policy outcomes. ASEAN hosts both issue specific and general conventions of relevant stakeholders in various civilised settings and thus created an impressive network for frequent contact and even policy exchange that may not have materialised otherwise. Avenues of cooperation and dialogue must take place within a procedural framework within which all participants feel confident and comfortable with each other; not an easy feat in a region as heterogeneous as Southeast Asia and even more complicated in the wider Asia-Pacific region. The ASEAN way has proven to be a useful tool in this respect since it allows cooperation without significant investment. In other words, there is merit in process.

Internally, the biannual ASEAN Summits are at the centre, but forums such as the ASEAN Ministerial Meeting (AMM), ASEAN Defence Ministers' Meeting (ADMM) and many others are increasingly important. A number of former and current regional policymakers and other elites have suggested to this author that they most certainly appreciate ASEAN as a distinctively Southeast Asian networking opportunity. Long time Malaysian Prime Minister Mahathir Mohamad for instance believes it to be one of ASEAN's greatest assets that it always made contact that much easier. ASEAN elites he said, could talk in their own quiet way and he himself had always relied on ASEAN to provide him and other ASEAN stakeholders with a channel to establish and maintain contact. He highlighted two specific examples. For one, cooperation within ASEAN frameworks expedited and simplified necessary collaboration with Singapore's Lee Kuan Yew in a context of personal aloofness. Mahathir also recalled how ASEAN in the typically unobtrusive ASEAN way aided engagement of Myanmar's top generals. Despite significant international opposition, ASEAN had admitted Myanmar into their ranks.[942] This decision was partly due to recommendations by Mahathir and by his own confessions, he believed admission was the best way to mitigate the worst impacts of the military junta within regular ASEAN based

[942] McCarthy (2008) for an interesting perspective on the tricky admission process.

interaction, perhaps even leading to auspicious permanent change.[943] Singapore's Prime Minister Lee Kuan Yew expressed similar convictions.[944] Without exposing or publically criticising the generals, both Mahathir and Lee thought it possible to exert covert, quiet influence on the junta, in particular with regards to the human rights situation and the treatment of Aung San Suu Kyi and political opposition in general.[945] Topics the generals were very reluctant to discuss and may not have done so without the informal characteristics and discreetness of the ASEAN way.

The various ASEAN retreats for example are highly conducive to such regional cooperation.[946] Matters of regional security in general tend to be of similar such sensitivity and are, as we saw in all three case studies, rarely openly discussed at formal meetings. With the inauguration of the first retreat in 1999, a critical format for frank, informal, and face-saving discussions had been established and retreats are now a permanent feature of ASEAN security diplomacy during which to exchange views without commitment and direct public awareness. [947] Such creations are testimony to both ASEAN's will and ability to enhance security by institutionalising confidential elite communication. Although elites do sometimes choose to cooperate outside the ASEAN framework, as seen for instance with the Malay, Thai, and Indonesian Ministerial Meeting on Irregular Movement of People in Southeast Asia, ASEAN certainly aids and accelerates such contact in general and at times of crisis.

Case study 2 has also suggested that ASEAN can bring even directly warring parties together and enable mediation in both official and unofficial forums, such as the Informal Meeting of the Foreign Ministers of ASEAN (IMAMM) in Jakarta. As also witnessed in case study 2, communication by itself may not always resolve the underlying security problem. Indeed, the fact that ASEAN involvement in this case was minimal is unfortunate testimony to its enduring ineffectiveness in terms of affecting meaningful change. What ASEAN does however, is contributing to tension

---

[943] Personal Interview, Kuala Lumpur, 13 December 2015.
[944] Lee (2011): 324.
[945] Personal Interview, Kuala Lumpur, 13 December 2015.
[946] Haacke (2003) and chapter 2 of this thesis for more on retreats.
[947] Haacke (2003): 233.

management and de-escalation and reduces the risk of misunderstanding and miscalculation by promoting inter-elite understanding.

A final point, with China growing ever more assertive and in particular Indonesia inadvertently becoming ever deeper embroiled in the SCS disputes, intramural networking on this subject is likely to increase. In particular should Indonesia decide to assume a leadership role in ASEAN once again. In that sense, Chinese encroachment on the Indonesian Exclusive Economic Zone around the Natunas may turn out to be a blessing for ASEAN. If Indonesia were to begin to link its own China problem with those of other AMS, it might facilitate further intra-ASEAN coordination conducive to more concerted diplomatic, legal, and military defence of territorial integrity. For now though, this remains speculation.

Externally, ASEAN performs a similar laudable, albeit less influential feat. Although not safeguarding stability and security in the Asia-Pacific by itself, this research has alluded to ASEAN's role as the convener of great powers; i.e. its role as the provider of East Asian avenues for security cooperation. This role is primarily to continue to provide a platform for inter-great power relations in general as well as for the management of specific and immediate conflicts of regional concern that could spiral out of control due to a lack of communication or simple misunderstanding. Although ASEAN does not have the power to change or meaningfully influence perception and interests of more powerful actors and in the end those will do as they see fit, the association does an important job by hosting talks. Convening regional security stakeholders such as China and the U.S. who do have the power to either maintain or reverse the status quo is a worthwhile objective in itself. Case study 1 has provided useful insights in this regard. It was found that what matters for tangible security outcomes in the East Asian security architecture is all but unrelated to ASEAN and materialises in the form of Chinese or U.S. led initiatives and hard power instruments such as the Trans-Pacific Partnership, Asian Infrastructure Investment Bank, One Belt One Road, land-reclamations and bullying, freedom of navigation operations, bilateral alliances and defence agreements, and many more such factors. Meanwhile though, ASEAN was found to fill a gap inevitably left by regional and global great power competition that prevents any one major power to establish

credible avenues for exchange. This is where ASEAN enters the game and this is also the real merit of ASEAN centrality.

Calling the ADMM+ the most important regional security forum or being the namesake of the ARF is not simple vanity on ASEAN's part. The great powers have been found to invest substantial political capital into ASEAN based processes and are thus willingly on the receiving end of convening power. Even if ASEAN is not necessarily the honest, neutral broker Asia-constructivists would like to believe, in the context of the geostrategic status quo in the Asia-Pacific where great power relations unfold, ASEAN remains relevant because it is the most viable provider of communication and point of reference. Granted, this thesis has strongly criticised ASEAN-based forums, mostly for their notorious failure to reach the set goals or to take binding decisions with tangible outcomes. Such forums are justifiably called talk shops where no one even expects conflict resolution, but precisely this also incites countries such as China to remain in constant dialogue.

Take for instance the ARF. While it has virtually no role in conflict resolution, it is by no means obsolete. Its value-added has shown to be such indirect measures as dialogues, CBMs, and facilitation of military-to-military contacts and more. Although direct security concerns tend to remain unaddressed, the value of the ARF and other such forums is maintaining a point of diplomatic contact with the limited objective to improve the regional climate in good faith that bi- and multilateral problems may be easier to manage; just as Michael Leifer had always pointed out.[948] Similar applies to processes and security regimes. Ian Storey is incorrect when he calls the Declaration on the Conduct of Parties in the South China Sea (DoC) and Code of Conduct in the South China Sea (CoC) talks increasingly irrelevant.[949] True, I have also argued above that a CoC is not going to materialise anytime soon and even if, there is not much that would change as result. And yet, the process of negotiating it is laudable and in fact ASEAN should push for even more multilateral dialogue channels, no matter how superficial. As Tang Siew Mun rightly pointed out while '*negotiations have not*

[948] Leifer (2005c): 161; Leifer (1996).
[949] Storey (2015c).

yielded the desired results, the process is an important line of communication between ASEAN and China to manage expectations and exchange views on the SCS.'[950]

Critics also rightly argue that the reason ASEAN takes centre stage here is not testimony to the association's relevance but consequence of a coincidental strategic environment.[951] Although this is true, it misses the point. For one, ASEAN's limelight is only superficial for it does not provide it with any significant actorness. Secondly, coincidental or not does not matter. What matters is that regional stability requires institutionalisation of mutual great power reassurance and efficient information transmission. In particular the maritime domain in East Asia needs more, not less security cooperation and CBMs for better management of risks in regional seas that could easily escalate. Aside from keeping all parties talking, one further implicit by-product is that this plethora of multilateral contact maintains the notion that a rules-based order would indeed be the best and most desired outcome.

Although not sufficient for credible security actorness, convening power is arguably ASEAN's greatest contribution to regional security. Convening power, enabled by the peculiar ASEAN specific process provides an enduring role for the association in intra- and extramural regional security by reducing the likelihood or severity of conflict and instability in a region where neither can be taken for granted.

Compass

A second noteworthy ASEAN asset relates to one of this thesis' specific aims of pointing to the gap between goals and achievements. There is a logical contradiction between simultaneous goals of realising a regional value community while maintaining absolute national sovereignty by intentionally creating weak institutions entrusted with safeguarding such values. Markus Hund hints at this paradox when he argues that ASEAN looks like '*an organization trying to integrate without actually integrating, of nation states trying to coordinate without being coordinated*.'[952]

---

[950] Tang Siew Mun (2015): 11.
[951] Yahuda (2004): 231.
[952] Hund (2002): 118.

Notwithstanding ASEAN's claims, Southeast Asian interstate relations are governed by national interest and relative power, manifest in ASEAN's incapacity to move to a politically integrative level above non-interference and absolute domestic sovereignty.[953] This suggests that perhaps present-day ASEAN does not aspire to actually achieve the goals it sets in an operative sense. As far as ASEAN is concerned, missing those goals is not the one critical point and ASEAN is often misunderstood. In ASEAN, goals do not exclusively fulfil the function of an achievable target within a specific timeframe, but are set as grand aspirational, but unachievable objectives; as an at least in the medium-term unachievable telos.

This is not to say that goals are inoperable. On the contrary, but is one of the peculiar, but fundamental realisms of Southeast Asian regionalism and serves two purposes. First, this paradox reflects ASEAN's quality as facilitating regional understanding in general. This understanding in general is reached by ASEAN elites comfortably agreeing on goals and thus, cooperate in a non-contentious atmosphere bettering intramural relations in general. Lee Kuan Yew argued that ASEAN does not focus on what divides them but on what unites them, pushing divisions aside for the greater good of mutual understanding.[954] In this light, consensus may not only be an integral principle of the ASEAN way but ought to be understood as a CBM and becomes an end in itself. Reaching a positive and decisive consensus among ASEAN leaders facilitates cordial relations and reduces apprehension. In other words, consensus is reached for the sake of reaching a consensus. As a consequence, ASEAN agrees on easy to agree upon measures, while "shelving" the ones they "agree to disagree" on. Focusing on "low hanging fruits" at the expense of contentious issues is detrimental, or at least not conducive to ASEAN actorness. But it is also the reason why Southeast Asian states as well as extramural powers can continue to cooperate within civilised, orderly, and institutionalised regional security architecture. The guide through potentially antagonistic relations.

---

[953] Weatherbee (2005): 120.
[954] Lee (2011): 330.

Second, in particular case study 3 suggested that the association's agreements can sometimes play a role as the moral compass of ASEAN elites; an umbrella of guiding values building bridges in a region of great religious, cultural, and especially political diversity. While realising that the status quo differs significantly from stated ambitions, those can be understood as an appreciation of moral and normative perfection by ASEAN elites. A yet unachieved condition on which agreement can be established as long as it remains rhetoric and is not immediately backed up with mechanisms sufficient to turn rhetoric into practice. On the one hand, this allows ASEAN elites to cooperate and find agreement with ease. Should circumstance change at some point, those agreements can be realised or simply left as mere rhetorical principles. Even then, perhaps not even wanting to achieve those goals, elites can use those principles for overall guidance in day-to-day regional relations as a general moral compass and for specific policy guidance. In particular case study 2 and 3 suggest as much. Commitments made to human rights and ASEAN's security community quality are not distortions of reality by elites who have lost touch. They are an acknowledgement of the deficiency of the under current circumstance unchangeable actual condition, via formulation of a desired condition; a codification of regional perfection, providing guidance in a messy security environment. All can agree on perfect peace, knowing they are unlikely to achieve it in reality. Agreeing on peace is not much and certainly not sufficient to be a security community, but it is better than not achieving agreement at all.

Or consider human rights norms. Those have appeared on ASEAN's agenda ever since the 1993 United Nations Vienna Declaration and found their way into the regional discourse. However, as demonstrated, there are no mechanisms in place that could ever safeguard adherence to such norms. And yet, norms could be diffused by local norm-entrepreneurs and have been rhetorically accepted by all critical stakeholders. Although not practically implemented, overcoming the human rights taboo in Southeast Asia and codify such norms as a legal principle is an achievement in itself. ASEAN has enshrined such laudable aspirations in ASEAN's moral compass which would have certainly been impossible to agree on had this been accompanied by a strong human rights mechanism. Even if some countries may

resist implementation of corresponding rules and no one else imposes, all have nonetheless signed up to human rights in theory and the hard bargaining and deliberation in the Charter drawing process as documented by members of the ASEAN Charter High Level Task Force,[955] testifies that every single ASEAN Member State (AMS) had contemplated the meaning of human dignity. Recent research by Joern Dosch is indicative of the medium-term merit of such dynamics. He found that the evolution of the regional human rights discourse has penetrated contemporary Vietnam and meaningfully affected domestic Vietnamese politics. Unlike a few years ago, human rights are now increasingly discussed across Vietnam to an extent that Hanoi even amended the constitution in order to account for such discourse evolution. Dosch is adamant that a change in the regional discourse has increased peer-pressure and encouraged individual AMS to be responsive to human rights requirements.[956] This also reminds of a further, only implicit, yet positive utility of the moral compass. Also highlighted in case study 2, the codification of normative perfection, in this case theoretical commitments to protection of high human rights standards, provides civil society actors with an argument. There can be no doubt that non-state norm-entrepreneurs, such as human rights non-governmental organisations have a more solid foot to stand on when making their laudable human rights case if such norms are in fact firmly and de jure anchored in ASEAN's legal framework.

Institutional Reform?

Those strengths may not sound much in the light of the extensively introduced demand. This is the reason why plenty of analysts continuously suggest ASEAN ought to modify its rules and procedures in order to enhance its effectiveness and actorness and thus, its relevance. A great many, including this author, have rightly criticised ASEAN and pointed to its many shortcoming, mostly on the basis of ASEAN way principles such as strict unanimous decision making and non-interference

---

[955] Koh/Manalo/Woon (2009).

[956] Dosch (2016): The APSC – Just a side-show?; Panel Presentation at the *LSE Southeast Asia Forum*, May 13 2016, Saw Swee Hock Southeast Asia Centre, London School of Economics and Political Science, available: www.lse.ac.uk/SEAC, accessed: 29/05/2016.

inhibiting effectiveness. At first sight, this thesis' analysis makes for a compelling case in support of such criticism. All case studies have exposed ASEAN's weaknesses as security threats unfolded within an institutional structure not well equipped to provide the necessary guardianship to meaningfully tackle those and thus, fulfil ASEAN's actorness demands. It would require great leadership to adjust ASEAN processes and structure and to coordinate AMS' policy priorities in a way conducive to a greater role for ASEAN in regional security. AMS would have to be convinced to accept limits on their sovereignty and at times accept individual disadvantages in favour of a greater common regional good. Two questions arise immediately. Should ASEAN undertake severe institutional reform to increase its ability to live up to its laudable goals; and what is the greater regional good? I suggest that institutional reforms, though auspicious in theory, may seriously threaten ASEAN and while it may not vanish, it may become even less effective as a result of well-intended reforms. Hence, the greater regional good may well be to keep ASEAN exactly as it is.

If ASEAN wants to remain in the driver's seat of the wider regional security architecture, if it wants to be a rules-based security community in which war is absent and all peoples enjoy human rights, ASEAN, one could be tempted to say, must urgently reform. Susan Shirk for instance argued ASEAN will have to find a way around its procedural roadblocks by reforming decision making processes in order to prevent individual spoiler countries from corrupting the association's effectiveness and resilience in dealing with China.[957] Similarly, case study 2 brought this point home and demonstrated how Thailand as well as other AMS could easily prevent ASEAN from taking a proactive role in living up to its security community aspirations. Case study 3 on the other hand showed that while human rights gained great attention in the newest APSC blueprint, including 15 action lines, operationally the AICHR focuses on promoting the norm without a trace of active protection of it.

True enough, ASEAN's near obsession with conflict avoidance and the consensus principle exposes it to outside and inside interference. Coupled with the extreme

[957] Shirk (2016): The significance of ASEAN for U.S. strategy toward China and the Asia-Pacific, Panel Presentation at the Regional Outlook Forum 2016, 12 January, Singapore, available: www.iseas.edu.sg.

heterogeneity ASEAN lends itself easily to hostage taking. Yet, it is precisely the non-binding character and lack of non-compliance mechanisms of ASEAN-based procedures that keep countries participating. Signing the Treaty of Amity and Cooperation (TAC) or joining the ASEAN Regional Forum (ARF) allowed relevant actors to engage and to demonstrate good will at relatively low costs, knowing that formal agreements are not binding and the ASEAN way would always allow everyone to prevent any measure not in their interest. Similar applies for instance to the ASEAN Intergovernmental Commission on Human Rights. Case study 3 shed light on the process leading to the establishment of an ASEAN human rights mechanism (HRM) and highlighted the intense debates surrounding the process. Of course, it would be preferable to have a HRM with at least some autonomous oversight, perhaps even some compliance enforcement authority. But in particular the CLMV states are unlikely to have ever given their consent had a HRM be endowed with a mandate providing ASEAN with greater actorness.

In the light of the case study results that vividly displayed the practical, tangible implications of ASEAN's low actorness, one could be tempted to argue that ASEAN elites ought to further strengthen the ASEAN Secretariat, perhaps even appoint autonomous ministers and review fundamental principles in order to devise mechanisms for monitoring and non-compliance sanctioning. While the ASEAN way may have prevented problems from arising between AMS, the same doctrine impedes solving them should they ever arise. Should certain principles be reformed or abolished ASEAN's actorness would doubtlessly improve. Even some AMS, or rather individual ASEAN elites suggested reform in order to more effectively address security problems with regional ramifications. This is for instance behind Foreign Minister Surin Pitsuwan's proposal for "flexible engagement". As we know, he did meet strong resistance. Equally, one could be tempted to propose a reform to decision making by for instance introducing various forms of majority voting mechanisms in order to prevent process hogging. Yet, under current circumstances, ASEAN would not withstand substantial institutional reform and advice to that end is based on either frustration with, or a fundamental misunderstanding of ASEAN. Reforms are both unlikely and detrimental. This thesis numerous interviews with

current and former ASEAN and AMS' officials have overwhelmingly shown that stakeholder are content with the way ASEAN works and that substantial reforms were likely to spell the end of ASEAN for it goes against the regional instinct. Although its rhetoric suggests otherwise and it may perhaps be desirable, ASEAN has no intention of becoming more effective.

This is indicative of ASEAN's main dilemma. Its very principles, its constitutive norms prevent ASEAN from fulfilling its ambitions. But at the same time, they are the only reason ASEAN can exist. ASEAN can only work by informal debate and consensus decision making. Chapter 2 has introduced the extreme heterogeneity across ASEAN as well as the strong sense of post-colonial nationalism and all case studies have at some point related to these two decisive realities of Southeast Asia. Several influential ASEAN elites with a great wealth of ASEAN experience stressed to this author that that by and large all AMS insist and require the ASEAN way to be upheld.[958] Not only has the ASEAN way always been the most important procedural basis for AMS to engage, it also continues to minimise suspicion in a heterogeneous region where conflict remains a reality. Changes to ASEAN's cherished modus operandi may indeed initiate deeper institutionalisation conducive to ASEAN's actorness, but will cause serious damage to its internal and external relevance as it jettisons ASEAN's strengths as an informal, non-committing forum for desperately needed interaction, confidence, and guidance. By abolishing its institutional weaknesses, ASEAN reformist would abolish ASEAN. Like Ambassador Bilahari Kausikan said, ASEAN only works if it does not work too well.[959]

Hence, unlike most other critical observers, I do not suggest a reform of ASEAN in order to enable ASEAN to meet its ambitions. I propose temporarily reducing the demand side to allow the supply side to catch up. Lower the expectations and ASEAN will do just fine for now.

---

[958] E.g. Interview with Ambassador Bilahari Kausikan, 15 January 2016, Foreign Ministry of Singapore; Interview with PM Mahathir Mohamad, 13 December 2015, Kuala Lumpur.
[959] Interview, 15 January 2016, Foreign Ministry of Singapore.

5.4. Lowering the Demand

As a final proposition of this chapter, I put forward the argument that the problem may also rest with the demand, not only the lacking ASEAN supply. Why not lowering the demand side in order to allow the supply side to catch up and become confident in achievement? This would allow ASEAN to rid itself of the constant air of underachievement and be congenial to the above made argument about ASEAN consensuses for confidence and the ASEAN way. In such atmosphere ASEAN can function well and if elites decide on it, even develop. If desired, supply may eventually increase.

While language is certainly strong, the actual behaviour of Southeast Asian countries on the regional security canvas more often than not advances national, often mutually antagonistic agendas, not the regional good. This is as true extramurally as it is intramurally. The low degree of ASEAN actorness is particularly obvious under the limelight of self-imposed standards and academic expectations. If measured against this demand, we saw that ASEAN is hopelessly overstretched. It expanded significantly in both form and function with the inclusion of the CLMV states as well as the AC15 project. Extended membership led to ever greater heterogeneity in societal, economic, and political make-up as well as national interest. This only exacerbated divisions and increased the frequency of “agree to disagree” and shelving of issues. Too ambitious political, economic, and social targets inauspiciously accompanied membership expansion. AC15 brought with it a whole new set of demands by expanding and articulating new and ever more aspiring tasks and goals. At the same time, though we saw over the course of the case studies that its members only poorly support the association. Adding to this is the absence of a natural leader. Best placed to fulfil this role would arguably be Indonesia, the intellectual parent of the APSC. However, as things stand the Jokowi government

seems to have downgraded the ASEAN component in its foreign policy strategy from being the cornerstone of Indonesian foreign policy to being a cornerstone.[960]

All this creates manifold political dilemmas for ASEAN. For example, while the inclusion of Vietnam led to an even greater urgency and prominence of the SCS conflicts in ASEAN's extramural affairs, the Cambodian inclusion limited ASEAN's capacity to address effectively those conflicts. Myanmar's maltreatment of the Rohingya minority highlighted a similar effect, causing great embarrassment to the association and rightly raised doubts as to ASEAN's efficacy and ultimately its relevance. In sum, the demand side is beyond reach as expectations and capacity are hopelessly out of sync. This has created a constant atmosphere of underachievement. More than just detecting plenty of room for improvement, ASEAN could be seen as total failure.

But since we also saw that firstly, not all is wrong in Southeast Asia at all and ASEAN has shown itself to play an irreplaceable role, and secondly, that substantial reforms are unlikely, one could suggest that ASEAN would be better served if one was to lower the demand side and allow ASEAN to redeem itself in a low-pressure atmosphere. In a more or less comfortable-for-all multilateral regionalism, ASEAN has managed to keep internal and external dialogue and cooperation going in a region where neither can be taken for granted.

Would the region be any less secure if ASEAN and its numerous extensions would not exist? The answer is yes. The preceding analysis has led to the conclusion that it is delusional to interpret ASEAN as a viable autonomous actor that has more than a marginal role in the regional security order. Yet, the region would be less secure because it would lack consensus, dialogue, confidence, a normative value commitment, and in total it would lack a constantly reinforced cooperational spirit, no matter how superficial. Take for instance centrality. All of the above suggests that ASEAN centrality has been misunderstood by many. Its extramural convening power gives credit to ASEAN's relevance and to some extent to its centrality. But if

---

[960] Dewi Anwa (2016): Indonesia. Looking outward, turning inward? Panel Presentation at the Regional Outlook Forum 2016, 12 January, Singapore, available: www.iseas.edu.sg.

measured against ASEANS's own and Asia-constructivist demands on centrality, including the power to socialise and change preferences of outsiders, the relevance I credit ASEAN with here, appears a rather limited appreciation. But why should we for instance see the ARF as the region's "norm brewery" or the TAC to be behind the ostensible "long East Asia peace" if there is no evidence to support this? The ARF was never designed to solve regional problems but nonetheless, it is a crucial cog in the larger regional security wheel. There is a case to be made that ASEAN-led forums have to some extent allowed AMS a greater role in regional security than otherwise possible, but why claiming that East Asia has been "ASEAN-ised"? Or take consensus. It can be interpreted as an integral principle designed to achieve and maintain confidence among elites, as an end in itself. It is one of the reasons why Southeast Asian states cooperate at all. Why making such principles the basis for DVs of a shared identity in which nationalism becomes secondary to regionalism?

If one buys this thesis's arguments, one would be well advised to induce a bit of realism back into the debate and appreciate ASEAN for what it is, a heavily institutionalised, but intergovernmental facilitation of elite cooperation where otherwise there may be none. ASEAN and ASEAN-based institutions are neither norm-entrepreneurs nor the one reason for relative Asian stability. ASEAN is no security community, especially not one in which its peoples enjoy democracy, freedom, human rights, and harmony. It is a useful adjunct to a stable balance of power, which is what had always been on Michael Leifer's mind. No need to reinvent the wheel.

6. Conclusion

The previous chapter concluded with the call to appreciate ASEAN simply for what it is. The remarkable optimism in ASEAN and among Asia-constructivists is at least incomplete but also naïve for it ignores the realities of nation state behaviour that is only in theory subordinate to ASEAN's normative framework. Three case studies have strongly suggested that this is the case. Since the literature, the empirical case

studies, all arguments, and the general research framework and conclusion have been explained well and summarised in different context, this completed appreciation of ASEAN is the best conclusion this thesis could now come to. Before I suggest some potential further research, it shall very briefly attempt to account for ASEAN in the light of what this research has found out.

6.1. What is ASEAN?

This thesis began setting out very sceptical presumptions and the appraisal remained critical all the way through. However, in particular the foregoing pages have demonstrated that its author is not an ASEAN abolitionist. Quite to the contrary. Over the course of this research ASEAN and academic assessments surrounding it have been subjected to the hardest possible tests and assessments. More often than not ASEAN was found lacking; so were Asia-constructivists. Despite, or perhaps precisely because of case study results, this thesis intends to conclude on a sober, realistic, but also positive note. Appreciating ASEAN for what it is means essentially three things. Accepting ASEAN's limitations; acknowledge its strengths; and consequentially, rationally adjust the demand. There is no value in either condemning ASEAN as a useless talk shop or rejoicing in an illusive performance. Realists have ignored the value of institutions in general and ASEAN's valuable contributions to regional security in particular. Asia-constructivists on the other end have been overly and unduly optimistic, oblivious to ASEAN's shortcomings. They have raised the demand to unattainable levels and by doing so contributed to a constant atmosphere of underachievement. While realists are overly pessimistic and unwisely and prematurely dismiss ASEAN, Asia-constructivists failed to convincingly argue what ASEAN is good for and why it matters since they ignored rationality and evidence.

Drawing on its comprehensive and conscientious analyses and conclusions, this thesis has come to appreciate ASEAN despite some gloomy pre-analytical hypotheses. I arrive at the conclusion that in terms of International Relations (IR) theory, most, though not ultimate explanatory power rests with institutional realist approaches. IR is arguably still best explained in terms of power politics and

balancing, but with growing interdependence those explanatory parameters must be interpreted differently and must be expanded to account for IR's greater complexity, latest since the end of the Cold War. Institutional realists highlight the value of institutions under the pretext of a general acceptance of some basic neo-realist assumptions, such as anarchy and threat balancing. Institutions can be used by sovereign nation states to shape rough edged balance of power theory. While institutions do not have a life of their own and are in absolute dependence vis-à-vis sovereign nation states, weaker states may use them in order to limitedly participate in great power politics. States can for instance supplement military means with formal and informal institutional arrangements in order to balance geopolitical forces for the sake of increasing their security. To that end, they may instrumentalise institutions of great power contact to influence policy or to form ad-hoc, short-term and issue-specific coalitions. Institutional balancing therefore provides an opportunity to individual small states to take part in regional and global politics; a voice to be heard that would be marginalised otherwise.

Institutional realism would therefore regard ASEAN's institutions as an intervening variable impacting regional security by influencing contact between hegemonic competitors and the rules and agendas of regional cooperation. Institutions are therefore important, but insufficient foreign- and security policy tools. In that view, ASEAN Member States (AMS) utilise their association to maintain stability by using institutions to balance against external threats or to maintain sound, rationalist working relationships among AMS themselves.[961]

This view corresponds to a large extent with the conclusions drawn on ASEAN above. Those however also suggest that while institutional balancing is important, it does not exhaust the merit of ASEAN. Institutional realists rightly argue that institutions have helped to create, maintain, and manage a balance of power, internally and externally. But it is equally important to stress that while the institutions in question have indeed been used for balancing for security, they are not exhausted by it but also facilitate pivotal cooperation and consensus for confidence. This thesis'

[961] He (2006); Khoo (2004) for an application of institutional realism in Asia.

conclusions as to what ASEAN is and can be differs from institutional realist perspective in that it sees the perhaps greatest attribute of ASEAN in its ability to convene all stakeholders and to increase confidence among them.

It has been shown that ASEAN avenues of engagement are not more and not less than useful additives to hard internal and external balancing components in a holistic overall security strategy. AMS rely mainly on bilateral cooperation with the U.S., Japan and others to counter growing extramural threats. Yet, ASEAN's "+extensions" shape this hard strategy with dialogue and confidence building measures in order to avoid a Cold War-esque atmosphere of unpredictable non-contact. In intramural relations, ASEAN is of greater value. Initially, as institutional realists would argue, ASEAN served as a tool for intramural balancing, in particular in the complex, uncertain, and dangerous Singaporean-Malay-Indonesian relations. However, the utility of ASEAN has evolved and moved on in order to account for new threats and opportunities. ASEAN has failed to effectively address traditional and non-traditional, state- and non-state-centric security threats largely because of the principles of the ASEAN way. Yet, this for now irreversible hindrance has simultaneously allowed ASEAN to manage facilitation of contact, officially and otherwise. It has also done a good job in establishing confidence via superficial consensus and by providing idealistic guidance to constantly remind the region of a desirable telos in an imperfect reality. All of this, while not sufficient, contributes to a relative stability in a region where the spectre of conflict and turmoil looms large.

6.3. Further research

This thesis claims to have contributed a wide range of new arguments about ASEAN studies and ASEAN as an institution. It has also introduced a unique model to approach the ASEAN question. However, a number of areas have been touched but not sufficiently elaborated on and there is certainly no shortage of further research opportunities in the field. I shall suggest four areas out of a long list where I hope productive future research will provide the interested world with significantly more insight than I have been able to.

First, ASEAN studies would benefit greatly from more research as to the origin of ASEAN rhetoric. An entire Ph.D. project could be conducted as to the exact motivation of ASEAN elites to agree on such flamboyant, ambitious rhetoric, knowing articulated goals will never be achieved. Throughout this thesis, some suggestions have been made as to why this could be the case. However, as the origin of language has not been the primary research focus, I have not made many meaningful contributions to this question. Secondly, the similarities between ASEAN and European Union (EU) terminology are striking. For instance, ASEAN inadvertently opened itself up for EU comparisons by adopting a three-pillar community structure as the basic framework for the ASEAN Community, reminiscent of the EU structure as stipulated in the Maastricht Treaty. Some great researchers have already done valuable work on this.[962] But there is plenty of room for more and it would be fascinating to learn more about possible reasons for such similarities, in particular in the light of ASEAN's aversion to EU supranationalism. Thirdly, keen researchers could inquire about the impact of significant domestic regime change on regional integration in ASEAN Community. This could perhaps even be done in an Asia-constructivist framework accounting for identity, not regime change. For example, the recent significant transformation in Thailand from an elected government towards a military junta or the other way around in Myanmar would offer great new case studies. As of yet, not much work has been done on this and it would be interesting to learn how ASEAN processes, meetings and Summits cope with this substantial and rapid change. Lastly, and to this author of specific interest is the application of my research model to other cases. On the one hand, future researchers could be interested in the benchmarks I have derived from a combination of various ASEAN and Asia-constructivists sources and apply those to different case studies in ASEAN. Chapter 1 has already made some suggestions where individual benchmarks could be applied, but there are plenty more possibilities. On the other hand, at least as interesting would be an application of the here devised supply versus demand model within a case study framework including

[962] Jetschke (2009); Jetschke/Murray (2015).

qualitative benchmarking and KPIs to other global, regional, and national organisations and institutions. For instance, the EU or the United Nations, even specific regimes such as the United Nations Human Rights Declaration and others offer a great wealth of potential applicability.

This list is by no means exhaustive, but includes some of the most interesting areas for future research. I shall leave this for competent researchers, bold enough to attempt it and I wish them well.

Bibliography

Acharya, A. (1991): The Association of Southeast Asian Nations: “Security Community” or “Defence Community”?, *Pacific Affairs*, Vol. 64(2), pp. 159–78.

Acharya, A, (1995): A Regional Security Community in Southeast Asia?, *Journal of Strategic Studie*s, Vol. 18(3), pp. 175 – 200.

Acharya, A. (1997): Ideas, Identity and Institution-Building: From the 'ASEAN Way' to the 'Asia-Pacific Way'?, *The Pacific Review*, Vol. 10(3).

Acharya, A. (1999): Containment, Engagement, or Counter-Dominance? Malaysia’s Response to the Rise of Chinese Power, in: Johnston, A./Ross, R. (eds.): Engaging China. The Management of a Rising Power, pp. 129–151, Routledge, London.

Acharya, A. (2001): Constructing a Security Community in Southeast Asia: ASEAN and the Problem of Regional Order, Routledge, London.

Acharya, A (2002): Regionalism and Multilateralism: Essays on Cooperative Security in the Asia-Pacific, Singapore.

Acharya, A (2003): Will Asia’s Past be its Future?, *International Security*, Vol. 28(3), pp. 149-64.

Acharya, A (2005): Do norms and identity matter. Community and power in Southeast Asia’s regional order’, *The Pacific Review,* Vol. 18(1), 95–118.

Acharya, A. (2007): Theoretical Perspectives on International Relations in Asia, Draft Paper for the Conference on International Relations in Asia: The New Regional System, George Washington University.

Acharya, A. (2008): Theoretical Perspectives on International Relations in Asia, in: Shambaugh, D./Yahuda, M. (eds.): International Relations of Asia, pp. 57-82, Rowman & Littlefield, Lanham, Maryland.

Acharya, A. (2009): Whose Ideas Matter: Agency and Power in Asian Regionalism, Ithaca, Cornell University Press.

Acharya, A. (2000): The Quest for Identity. International Relations of Southeast Asia, Oxford University Press.

Acharya, A. (2011): ASEAN 2030: Challenges of Building a Mature Political and Security Community, Conference Paper on ASEAN 2030, Asian Development Bank, Indonesia.

Acharya, A. (2014): Constructing a Security Community in Southeast Asia: ASEAN and the Problem of Regional Order, 3rd ed., Routledge, London.

Acharya, A. (2015): Doomed by Dialogue? Will ASEAN Survive Great Power Rivalry in Asia, *The ASAN Forum*, June 29.

Adler, E. (1992): Europe’s New Security Order: A Pluralistic Security Community, in: Crawford, B. (ed.): The Future of European Security, Berkley.

Adler, E. (1997): Imagined (Security) Communities. Cognitive Regions in International Relations, *Millennium*, Vol.26(2), pp. 249-77.

Adler ,E. (2005): Communities of practice in international relations, in: Adler (ed.): Communitarian International Relations, Routledge, London.

Adler, E. (2008): The spread of security communities. Communities of practice, self-restraint, and NATO's post-cold war transformation, *European Journal of International Relations,* Vol. 14(2), pp. 195-230.

Adler, E. (2013): Constructivism in International Relations. Sources, Contributions and Debates, in: Carlsnaes/Risse/Simmons (eds.): Handbook of International Relations, 2nd ed., SAGE, London, pp. 112 – 44.

Adler, E./Barnett, M. (1998): Security Communities, Cambridge University Press.

Adler, E. /Barnett, M. (1998b): A Framework for the study of security communities, in: Adler/Barnett (1998).

Adler, E./Greve, P. (2009): When security community meets balance of power. Overlapping regional mechanisms of security governance, *Review of International Studies,* Vol. 35(S1), pp 59-84.

Alagappa, M. (1995): Regionalism and the Quest for Security. ASEAN and the Cambodian Conflict, *Journal of International Affairs*, Vol. 46(2), pp. 439-67.

Alagappa, M. (2003): Constructing Security Order in Asia: Conceptions and Issues, in Alagappa (ed.): Asian Security Order. Instrumental and Normative Features, Stanford University Press.

Amador, J. (2010): ASEAN in the Asia-Pacific. Central or peripheral? *Asian Politics&Policy*, Vol. 2(4), pp. 601-16.

Ambramowitz, M./Bosworth, S. (2006): America Confronts the Asian Century, *Current History*, Vol. 105(690), pp. 147-152.

Amer, R. (2003): Conflict management within the Association of Southeast Asian Nations. Assessing the adoption of the rules of procedure of the High Council of the Treaty of Amity and Corporation in Southeast Asia, in Askandar, K. (eds.): Management and resolution of the interstate conflicts in Southeast Asia.

Ang, C. (2013): Lee Kuan Yew's strategic thought, Routledge, Abingdon.

Antkiewicz, A./Cooper, A. (2011): Beyond Geography. BRIC/SAM and the New Contours of Regionalism, in: Shaw/Grant/Cornelissen (eds.): The Ashgate Research Companion to Regionalism, Ashagte, Farnham.

Anwar, D. F. (2000): National versus Regional Resilience? An Indonesian Perspective , in: Da Cunha, D. (ed.): Southeast Asian Perspectives in Security, ISAS, Singapore.

Arase, D. (2015): Strategic rivalry in the South China Sea. How can Southeast Asian claimant states shape a beneficial outcome?, *ISEAS Perspectives*, No. 57, ISEAS, Singapore.

Arase, D. (2015b): The future of US strategic rebalancing toward Asia, *ISEAS Perspectives*, No. 60, ISEAS, Singapore.

Arendt, H. (1972): Crises of the Republic, Harcourt Brace Jovanovich, New York.

ASEAN Focus (2015): Insider View. Interview with Dr Surin Pitsuwan, Issue 3, ISEAS, Singapore.

Ash, R. (2005): China's Regional Economies and the Asian Region: Building Interdependent Linkages, in: Shambaugh, D. (ed.): Power Shift. China and Asia's New Dynamics, University of California Press, Berkley.

Auslin, M. (2016): Japan's New Realism, *Foreign Affairs*, Vol. 95(2).

Ba, A. (2003): China and ASEAN. Reinvigorating Relations for the 21st Century, *Asian Survey*, Vol. 43(4), pp. 622-47.

Ba, A. (2006): Who's Socializing Who? Complex Engagement in Sino-ASEAN Relations, *Pacific Review*, Vol. 19(2), pp. 157-79.

Ba, A. (2009): [Re]Negotiating East and Southeast Asia. Region, Regionalism and the Association of Southeast Asian Nations, Stanford University Press.

Ba, A. (2010): Regional Security in East Asia. ASEAN's Value Added and Limitations, *Journal of Current Southeast Asian Affairs*, Vol. 29(3), pp. 115-30.

Barmé (2015): Introduction, in Barmé/Goldkorn/Jaivin (eds.): Shared Destiny, Australian Centre on China in the World, ANU Press.

Barnett, M./Finnemore, M. (1999): The power of international organisations, *International Organization*, Vol. 53(4), pp. 695-732.

Bateman, S. (2011): Solving the "Wicked Problems" of Maritime Security: Are Regional Forums up to the Task?, *Contemporary Southeast Asia,* Vol. 33, No. 1, April 2011, pp. 1-28.

Bateman, S. (2015): The future maritime security environment in Asia. A risk assessment approach, *Contemporary Southeast Asia*, Vol. 37(1), pp. 49-84.

Beeson, M. (2014): Security in Asia. What's different, what's not, *Journal of Asian Security and International Affairs*, Vol. 1(1), pp. 1-23.

Beeson, M. (2016): Can ASEAN Cope with China?, in: *Journal of Current Southeast Asian Affairs*, Vol. 35(1), pp. 5–28.

Bellamy, A. (2004): Security Communities and their Neighbours. Regional Fortresses or Global Integrators?, Palgrave MacMillan, London.

Bellamy, A./Beeson, M. (2010): The Responsibility to Protect in Southeast Asia. Can ASEAN Reconcile Humanitarianism and Sovereignty?, *Asian Security*, Vol. 6(3), pp. 262-79.

Bilahari Kausikan (2014): ASEAN Centrality and Regional Security, Conference on regional integrations in the Asia-Pacific. Prospects and challenges, New Delhi, 24-25 November.

Bitzinger, R. (2007): The China Syndrome: Chinese Military Modernisation and the Rearming of Southeast Asia, Singapore Rajaratnam School of International Studies, Working Paper No. 126.

Bitzinger, R./Deskar, B. (2008): Why East Asian War is Unlikely, *Survival*, Vol. 50(6), pp. 105-28.

Bitzinger, R. (2010): A New Arms Race? Explaining Recent Southeast Asian Military Acquisitions, *Contemporary Southeast Asia*, Vol. 32(1), pp. 50-69.

Bitzinger, R. (2010b): Military Modernization in the Asia-Pacific. Assessing New Capabilities, in Tellis/Marble/Tanner: Strategic Asia 2010-11: Asia's Rising Power and America's Continued Purpose.

Bitzinger, R. (2015): IMDEX Asia 2015. Coast Guards in the South China Sea. Proxy fighters? RSIS Commentary, No. 121, Singapore.

Bjola, C./Kornprobst, M. (2007): Security communities and the habitus of restraint. Germany and the US on Iraq, *Review of International Studies*, Vol. 33(2), pp. 285 – 305.

Blackwill, R./Campbell, K. (2016): Xi Jinping on the Global Stage. Chinese Foreign Policy under a Powerful but Exposed Leader, Council on Foreign Relations, Special Report No. 74, New York City.

Booth, K. (2005): Critical Security Studies and World Politics, Lynne Rienner, Boulder.

Bretherton, C./Vogler, J. (2006): The European Union as a global actor, 2nd ed., Routledge, London.

Brown, K. (2016): Foreign Policy Making Under Xi Jinping. The Case of the South China Sea, *Journal of Political Risk*, Vol. 4(2).

Bueger, C. (2015): From Dusk to Dawn? Maritime Domain Awareness in Southeast Asia, *Contemporary Southeast Asia*, Vol.37(2), pp. 157-82.

Bull, H. (2002): The Anarchical Society. A Study of Order in World Politics, 3rded., Columbia University Press.

Bull, H. (2012): The Anarchical Society. A Study of Order in World Politics, 4th ed., Macmillan, Basingstoke.

Bull, H/Watson, A. (eds.) (1984): The Expansion of International Society, Clarendon, Oxford.

Busse, N. (1999): Constructivism and Southeast Asian security, *The Pacific Review,* Vol. 12(1), pp. 39–60.

Buszynski, K. (2003): ASEAN, the Declaration on Conduct, and the South China Sea, *Contemporary Southeast Asia*, Vol. 25(3), pp. 343-62.

Buszynski, L./Sazlan, I. (2007): Maritime Claims and Energy Cooperation in the South China Sea, *Contemporary Southeast Asia*, Vol. 29(1), pp. 143-71.

Buzan, B. (1991): People, States, and Fear: An Agenda for International Security Studies in the post-Cold War Era, 2nd ed., Lynne Rienner, Boulder.

Buzan, B. (2004): From International to World Society? English School Theory and the Social Structure of Globalisation, Cambridge University Press.

Buzan, B./Segal, G. (1994): Rethinking East Asian Security, *Survival,* Vol. 36(2).

Buzan/Waever/de Wilde (1998): Security. A new framework for analysis, Lynne Riener, London.

Caballero-Anthony, M. (2005): Regional Security in Southeast Asia. Beyond the ASEAN Way, Institute of Southeast Asian Studies, Singapore.

Caballero-Anthony, M. (2009): Challenging Change. Nontraditional Security, Democracy, and Regionalism, in: Emmerson, D. (ed.): Hard Choices. Security, Democracy, and Regionalism in Southeast Asia, ISEAS, Singapore.

Caballero-Anthony, M. (2012): Non-traditional security challenges, regional governance, and the ASEAN Political Security Community (APSC), in: Emmers, R. (ed.): ASEAN and the Institutionalisation of East Asia, London, Routledge.

Caballero-Anthony, M (2014): Understanding ASEAN's centrality. Bases and prospects in an evolving regional architecture, *The Pacific Review*, Vol. 27(4), pp. 563-84.

Caballero-Anthony, M (2014b): Myanmar's Chairmanship of ASEAN. Challenges and Opportunities, in: Myanmar's Growing Regional Role, NBR Special Report No. 45, Seattle.

Camarena, A./Dosch, J. (2015): Southeast Asia, in: Goodman, D. (ed.): Handbook of the Politics of China, Edward Elgar, Cheltenham.

Capie, D. (2010): When Does Track Two Matter? Structure, Agency, and Asian Regionalism, *Review of International Political Economy,* Vol. 17(2), pp. 291–318.

Capie, D. (2012): Explaining ASEAN's Resilience. Institutions, path dependency and Asia's emerging architecture, in: Emmers, R. (ed.): ASEAN and the Institutionalisation of East Asia, London, Routledge.

Chachavalpongpun, P. (2010): Temple of doom. Hysteria about the Preah Vihear temple in the Thai nationalist discourse, in Askew, M. (ed.): Legitimacy Crisis in Thailand, Silkworm Books, Chiang Mai.

Chachavalpongpun, P. (2012): Embedding embittered history. Unending conflicts in Thai–Cambodian relations, *Asian Affairs,* Vol. 43(1), pp. 81–102.

Chachavalpongpun, P. (2014): From marketplace back to battlefield. Thai-Cambodian realtions in the age of militarized politics, in Chachavalpongpun, P. (ed.): Good coup gone bad. Thailand's political developments since Thaksin's downfall, ISEAS Publishing, Singapore.

Chachavalpongpun, P. (2015): Glorifying the inglorious past. Historical overhangs or legacies in Thai-Cambodia Relations, in: Ganesan, N. (ed.): Bilateral legacies in East and Southeast Asia, ISEAS Publishing, Singapore.

Chan, P. (1989): Policies, Mechanisms, and Institutions affecting ASEAN-China Economic Relations, in: Chia/Cheng (eds.): ASEAN – China Economic Relations. Developments in ASEAN and China, ISEAS, Singapore, pp. 52-81.

Cheng, L. (2008): China's Changing Political Landscape. Prospects for Democracy, pp. 44-58, Brookings Institution Press, Washington D.C.

Cheng-Chwee, K. (2005): Multilateralism in China's ASEAN Policy. Its Evolution, Characteristics, and Aspiration, *Contemporary Southeast Asia*, Vol. 27(1), pp. 102-22.

Cheng-Chwee, K. (2008): The Essence of Hedging. Malaysia and Singapore's Response to a Rising China, *Contemporary Southeast Asia*, Vol. 30(2), pp. 159-85.

Cheng-Chwee, K. (2016): Malaysia between the United States and China. What to weaker states hedge against?, *Asian Politics&Policy*, Vol. 8(1), pp. 155-77.

Chung, Chien-peng (2004): Southeast Asia–China Relations. Dialectics of 'Hedging' and 'Counter-Hedging', *Southeast Asian Affairs*, Singapore Institute of Southeast Asian Affairs, pp. 35–53.

Clarke, G. (2012): The Evolving ASEAN Human Rights System. The ASEAN Human Rights Declaration of 2012, Northwestern Journal of International Human Rights, Vol. 11(1).

Clinton, H. (2011): America's Pacific Century, *Foreign Policy*, Issue 189, November.

Collins, A. (2013): Building a People-oriented Security Community the ASEAN Way, Routledge, New York.

Collins, A. (2014): Bringing communities back: Security communities and Asean's plural turn, *Cooperation and Conflict*, Vol. 49(2), pp. 276 – 91.

Connelly, A. (2015): Sovereignty and the sea. President Joko Widodo's foreign policy challenges, *Contemporary Southeast Asia*, Vol. 37(1), pp. 1- 28.

Cossa, R. (2008): Security Dynamics in East Asia: Geopolitics vs. Regional Institutions, in: Shambaugh, D./Yahuda, M. (eds.): International Relations of Asia, Rowman & Littlefield, Lanham, Maryland.

Cruz de Castro, R. (2000): Managing strategic unipolarity. The ASEAN states' responses to the post-Cold War regional environment, in: da Cunha, D. (ed.): Southeast Asian Perspectives on Security, ISAS, Singapore.

Dahl, R. (1957): The Concept of Power, *Behavioural Science,* Vol. 2, pp. 201-15.

Davies, M. (2014): An Agreement to Disagree. The ASEAN Human Rights Declaration and the Absence of Regional Identity in Southeast Asia, *Journal of Current Southeast Asian Affairs*, Vol. 33(3), pp. 107–29.

De Castro, R. (2015): The Philippines confronts China in the South China Sea. Power Politics vs. Liberalism-legalism, *Asian Perspective* Vol. 39, pp. 71-100.

De Luce/McLeary (2015): In South China Sea, a tougher US stance, *Foreign Policy*, October 2.

Dent, C. (2008): East Asian Regionalism, Routledge, London.

Deutsch/Burrell/Kann/Lee/Lichterman/Lindgren/Loewenheim/Van Wagenen (1957): Political community and the North Atlantic area, International organization in the light of historical experience, Princeton University Press.

Deutsch, K. (1961): Security Communities, in: Rosenau, J. (ed.): International Politics and Foreign Policy, New York.

Deutsch, K. (1968): The Analysis of International Relations, Prentice Hall, NJ.

Djalal, H. (2012): Dispute Settlement and conflict management in the South China Sea, *Strategic Review*, April-June.

Doidge, M. (2008): Regional Organizations as Actors in International Relations: Interregionalism and Asymmetric Dialogues, in Rueland/Schubert/Schucher/Storz (eds.): Asian-European Relations: Building Blocs for Global Governance?, Routledge, Oxon.

Doidge, M. (2011): The European Union and Interregionalism. Patterns of Engagement, Asgate, Farnham.

Dosch, J. (2008): ASEAN's reluctant liberal turn and the thorny road to democracy promotion, *The Pacific Review*, Vol. 21(4), pp. 527-45.

Dosch, J. (2010): The fallacy of multilateralism rhetoric in China-Southeast Asia Relations. A neo-realist perspective on regional order building, UNISCI Discussion Paper, No. 24, October.

Dosch, J. (2011): The Spratly Islands Dispute. Order-Building on China's terms? *Harvard International Review* (online edition), available: http://hir.harvard.edu/archives/2841, accessed Dec 2014.

Dosch, J. (2011b): East Asia and the U.S.. The Dawn of a New Security Architecture?, in: Schuck, C. (ed.): Security in a Changing Global Environment. Challenging the Human Security Approach, Nomos, pp. 305-27.

Dosch, J. (2013): The ASEAN Economic Community. The Status of Implementation, Challenges and Bottlenecks, CARI, June.

Dosch, J. (2014): Regioanlism and Regional Integration. The Case of ASEAN, in: Mohd Sani/Zengeni (eds.): International Relations, Pearson Malaysia, KL.

Dosch, J. (2015): Die ASEAN Wirtschaftsgemeinschaft, Normos.

Dosch, J. (2015b): The ASEAN Economic Community. What stands in the way?, *Asia Pacific Issues*, No. 119, East West Center.

Draguhn, W./Ash, R. (1999): China's Economic Security, Curzon, London.

Dupont, A./Baker, C. (2014): East Asia's Maritime Disputes. Fishing in Troubled Waters, *The Washington Quarterly*, Vol. 37(1), pp. 79-98.

Eaton, S./Stubbs, R. (2006): Is ASEAN powerful? Neo-realist versus constructivist approaches to power in Southeast Asia, *ThePacific Review* Vol. 19(2), pp. 135–55.

Elias, N. (1982): Power and Civility. The Civilizing Process: Volume II, Pantheon Books, New York.

Emmers, R. (2001): The influence of the balance of power factor within the ASEAN Regional Forum, *Contemporary Southeast Asia* Vol. 23(2), pp. 275– 91.

Emmers, R. (2003): Cooperative Security and the balance of power in ASEAN and the ARF, Routledge, London.

Emmers, R. (2009): The Changing Power Distribution in the South China Sea: Implications for Conflict Management and Avoidance, RSIS Working Paper No. 183, Singapore.

Emmers, R. (2013): Securitization, in: Collins, A. (ed.): Contemporary Security Studies, 3rd ed., Oxford University Press.

Emmers, R. (2014): Indonesia's role in ASEAN. A case of incomplete and sectorial leadership, *The Pacific Review*, Vol. 27(4), pp. 543-562.

Emmerson, D. (2005): Will the Real ASEAN Please Stand Up? Security, Community, and Democracy in Southeast Asia, Southeast Asia Forum, Stanford University.

Emmerson, D. (2011): US, China role play for ASEAN, *Asia Times*, November 11.

Envall, H./Hall, I. (2016): Asian strategic partnerships. New practices and regional security governance, *Asian Politics&Policy*, Vol. 8(1), pp. 87-105.

Finnemore, M. (1996): National Interests and International Society, Cornell University Press.

Finnemore, M./Sikkink, K. (1998): International nom dynamics and political change, *international Organization,* Vol. 52(4), pp. 887-917.

Finnemore, M./Sikkink, K. (2001): Take Stock. The Constructivist Research Program in International Relations and Comparative Politics, *Annual Review of Political Science,* Vol. 4, pp. 391-416.

Foot, R. (2000): Rights Beyond Borders: The Global Community and the Struggle over Human Rights in China, Oxford University Press, Oxford.

Fravel, M. T. (2007/08): Power Shifts and Escalation. Explaining China's Use of Force in territorial Disputes, *International Security*, Vol. 32(3), 44-83.

Friedberg, A. (1993/4): Ripe for Rivalry. Prospects for Peace in a Multipolar Asia, *International Security*, Vol. 18(3), pp. 5-33.

Friedberg, A. (2000): Will Europe's Past be Asia's Future?, *Survival*, Vol. 42(3), pp. 147-60.

Friedberg, A. (2005): The Future of U.S.-China Relations. Is Conflict Inevitable?, *International Security*, Vol. 30(2), pp. 7-45.

Friedberg, A. (2010): The Geopolitics of Strategic Asia, 2000 – 2020, in Tellis/Marble/Tanner: Strategic Asia 2010-11: Asia's Rising Power and America's Continued Purpose.

Friedberg, A. (2011): A Contest for Supremacy: China, America, and the Struggle for Mastery in Asia, Norton, New York.

Friedrichs, J. (2012): East Asian Regional Security. What the ASEAN Family Can (Not) Do, *Asian Survey,* Vol. 52(4), pp. 754-76.

George, A./Bennett, A. (2004): Case Studies and Theory Development in the Social Science, MIT Press, Cambridge, MA.

Gill, B. (2005): China's Evolving Regional Security Strategy, in: Shambaugh, D. (ed.): Power Shift. China and Asia's New Dynamics, University of California Press, Berkley.

Gill/Green/Tsuji/Watts (2009): Strategic Views on Asian Regionalism. Survey Results and Analysis, CSIS, February.

Gilley, B. (2004): China's Democratic Future. How it will happen and where it will lead, Columbia University Press, New York.

Gindarsah, I. (2015): Indonesia's Defence Diplomacy, Harnessing the hedging strategy against regional uncertainties, RSIS Working Paper No. 293, Singapore.

Gilpin, R. (1981): War and Change in World Politics, Cambridge University Press.

Giovannini, G./Schibotto, E. (2015): At the heart of the Asian century, *Longitude. The Italian Journal on World Affairs*, Vol. 46, pp. 112- 21.

Godement, F. (2010): The Power Shift. Winners and Losers, in: Geopolitics on Chinese Terms, China Analysis Paper, European Council on Foreign Relations.

Goh, E. (2004): Singapore's Reaction to Rising China. Deep Engagement and Strategic Adjustment, Institute of Defense and Strategic Studies Singapore, Working Paper No. 67.

Goh, E. (2007): Southeast Asian Perspectives on the China Challenge, *The Journal of Strategic Studies*, Vol. 30(4–5), p. 809 – 832.

Goh, E. (2007/08): Great Powers and Hierarchical Order in Southeast Asia. Analysing Regional Security Strategies, *International Security*, Vol. 32(3), 113-57.

Goh, E. (2011): Institutions and the Great Power Bargain in East Asia. ASEAN's limited Brokerage Role, *International Relations of the Asia-Pacific*, Vol. 11(3), pp. 373-401.

Goh, E. (2012): Institutions and the great power bargain in East Asia: ASEAN's limited brokerage role, in: Emmers, R. (ed.): ASEAN and the Institutionalisation of East Asia, London, Routledge.

Goh, E. (2013): The Struggle for Order. Hegemony, Hierarchy, & Transition in Post-Cold War East Asia, Oxford University Press, Oxford.

Goh, E. (2014): ASEAN-led Multilateralism and Regional Order. The Great Power Bargain Deficit, The ASAN Forum, Vol.2 (6), November – December, available: www.theasanforum.org, accessed 12/02/15.

Goh, E./Acharya, A. (2002): The ASEAN Regional Forum and US-China Relations: Comparing Chinese and American Positions, Fifth China-ASEAN Research Institutes Roudtable: Regionalism and Community Building in East Asia, University of Hong Kong.

Goldstein, A. (2005): Rising to the Challenge. China's Grand Strategy and International Security, Stanford University Press, Stanford.

Goldstein, A. (2007): Power Transitions, Institutions, and China's Rise in East Asia: Theoretical Expectations and Evidence, *The Journal of Strategic Studies*, Vol. 30(4–5), pp. 639 – 682.

Grant, Ch./ Barysch, K. (2008): Can Europe and China shape a new world order?, Centre for European Reform (CER), London.

Green, M./Self, B. (2003): Japan's Reluctant Realism. Foreign policy challenges in an era of uncertain power, Palgrave Macmillan, London.

Green/MacManus/de la Cour Venning (2015): Countdown to annihilation. Genocide in Myanmar, ISCI, London.

Greenless, D. (2014): Indonesia's security focus. From inside to out, in: CSCAP Regional Security Outlook 2015, Canberra.

Gross Stein, J. (1985): Detection and defection. Security regimes and the management of international conflict, *International Journal*, Vol. 40 (4), pp. 599-627.

Haacke, J. (2003): ASEAN's Diplomatic and Security Culture. A constructivist assessment, *International Relations of the Asia-Pacific*, Vol. 3, pp. 57-87.

Haacke, J. (2003b): ASEAN's Diplomatic and Security Culture. Origins, Developments and Prospects, Routledge, London.

Haacke, J. (2005): 'Enhanced Interaction' with Myanmar and the Project of a Security Community. Is ASEAN Refining or Breaking with Its Diplomatic and Security Culture? *Contemporary Southeast Asia*, Vol. 27(2), pp. 188–216.

Haacke, J. (2009): The ASEAN Regional Forum. From dialogue to practical security cooperation? *Cambridge Review of International Affairs*, Vol. 22(3), pp. 427-49.

Haacke, J. (2016): Myanmar's foreign policy under President U Thein Sein. Non-aligned and diversified, *Trends in Southeast Asia,* No. 4, ISEAS, Singapore.

Haas, E. (1958): The uniting of Europe. Political, Social and Economic Forces, 1950-1957, University of Notre Dame Press.

Haas, E. (1964): Beyond the Nation-state. Functionalism and International Organization, Stanford University Press.

Hanggi, H. (1991): ASEAN and the ZOPFAN Concept, Pacific Strategic Paper, ISEAS, Singapore.

Hao, Duy Phan (2009): A Blueprint For a Southeast Asian Court Of Human Rights, *Asian-Pacific Law and Policy Journal*, Vol. 10(2), pp. 384–433

He, K. (2006): Does ASEAN Matter? International Relations Theories, Institutional Realism, and ASEAN, *Asian Security*, Vol. 2(3), pp. 189-214 .

Hernandez, C. (2003): The ASEAN-ISIS and CSCAP, in: The 2nd ASEAN Reader, ISEAS, pp. 280-4.

Hernandez, C. (2007): Institution building through an ASEAN Charter, available: http://www.kas.de/upload/auslandshomepages/singapore/Hernandez_AseanCharta .pdf, accessed 23.09.2015.

Hiebert, M./Wain, B. (2004): Same Planet, Different World, *Far Eastern Economic Review*, June 17.

Higgott, R. (1994): Ideas, identity and policy coordination in the Asia-Pacific, *The Pacific Review* Vol. 7(4), pp. 367–79.

Ho, B. (2012): ASEAN's centrality in a rising Asia, RSIS Working Paper No. 249, Singapore.

Ho Khai Leong (2005): ASEAN+1 or China+1? Regionalsim and Regime Interests in ASEAN-China Relations, in Ho Khai Leong/Ku (eds.): China and Southeast Asia. Global Changes and Regional Challenges, ISEAS, Singapore.

Ho, J. (2012): Singapore's maritime interests, in: Ho/Bateman (eds.): Maritime Challenges and Priorities in Asia. Implications for regional security, Routledge, Oxon.

Hoang, A./Do T. (2016): U.S.-Vietnam security cooperation. Catalysts and constraints, *Asian Politics&Policy*, Vol. 8(1), pp. 179-92.

Hongfang, S. (2011): South China Sea Issue in China ASEAN Relations. An Alternative Approach to Ease the Tension, presented at the International Conference "The South China Sea: Toward a Region of Peace, Cooperation and Progress", 5-6 July, Manila.

Hopf, T. (1998): The promise of constructivism in International Relations theory, *International Security*, Vol. 23(1), pp. 171-200.

Hopf, T. (2010): The logic of habit in International Relations, *European Journal of International Relations,* Vol.16(4), pp. 539–61.

Hsiung, J. (2009): China's Second Ascent and International Relations Theory, ASPA Toronto Meeting Paper.

Hughes, C. (2005): Nationalism and Multilateralism in Chinese Foreign Policy: Implications for Southeast Asia, *The Pacific Review,* Vol.18(1), pp. 119-135.

Hughes, C. (2010): China's membership of the ARF and emergence of an East Asian diplomatic and security culture, in: Haacke, J./ Morada, N. (eds.): Cooperative Security in the Asia-Pacific. The ASEAN Regional Forum, Routledge, Oxon.

Hund, M. (2002): From "Neighbourhood Watch Group" to Community? The case of ASEAN institutions and the pooling of sovereignty, *Australian Journal of International Affairs* Vol. 56(1), pp. 99–122.

Hurrel, A. (2003): Norms and Ethics in International Relations, in Carlsnaes/Risse/Simmons (eds.) Handbook of International Relations, Sage, London.

Hurrel, A. (2005): Power, Institutions, and the Production of Inequality, in: Barnett, M./Duvall, R.: Power in Global Governance, Cambridge University Press, Cambridge.

Huxley, T. (1991): Singapore and Malaysia. A precarious balance, *The Pacific Review,* Vol. 4 (3), pp. 204–13.

Huxley, T. (2000): Defending the Lion City. The Armed Forces of Singapore, Allen&Unwin, St Leonards.

Huxley, T./Schreer, B. (2015): Standing up to China, *Survival,* Vol. 57(6), pp. 127–44.

IISS (2015): Strategic Survey 2015, Routledge, London.

Ikenberry, G. J. (2011): Liberal Leviathan. The Origins, Crisis and Transformation of the American World Order, Princeton University Press, Princeton.

International Crisis Group (2011): Waging peace. ASEAN and the Thai-Cambodian border conflict, Asia Report No. 215, 6 December, Bangkok/Jakarta/Brussels.

Jakobson, L. (2016): Reflections from China on Xi Jinping's "Asia fir Asians", *Asian Politics&Policy*, Vol. 8(1), pp. 219-23.

Jayakumar/Koh/Beckman (eds.) (2014): The South China Sea Disputes and Law of the Sea, Edward Elgar, Cheltenham.

Jervis, R. (1978): Cooperation under the Security Dilemma, *World Politics*, Vol. 30(2), pp. 167-214.

Jervis, R. (1982): Security Regimes, *International Organization,* Vol.36 (2), pp. 357 – 378.

Jetly, R. (2003): Conflict management strategies in ASEAN. Perspectives for SAARC, *The Pacific Review,* Vol. 16(1), pp. 53–76.

Jetschke, A. (2009): Institutionalizing ASEAN. Celebrating Europe through network governance, *Cambridge Review of International Affairs*, Vol. 22(3), pp. 407–26.

Jetschke, A./Murray, P. (2012): Diffusing regional integration. The EU and East Asia, *West European Politics*, Vol. 35(1), pp. 174–91.

Jianwei, L. (2014): Managing Tensions in the South China Sea. Comparing the China-Philippines and the China-Vietnam Approaches, RSIS Working Paper No. 273, Singapore.

Job, B. (1997): Matters of Multilaterlalism. Implications for regional conflict management, in: Lake/Morgan (eds.): Regional Orders. Building Security in a New World, Penn State University Press.

Johnson, C. (2016): President Xi Jinping's "Belt and Road" Initiative. A Practical Assessment of the Chinese Communist Party's Roadmap for China's Global Resurgence, CSIS Report, Washington D.C.

Johnston, A. (2003): Is China a Status Quo Power?, *International Security*, Vol. 27(4), pp. 5-56.

Johnston, A. (2012): What (If Anything) Does East Asia tell us about International Relations Theory?, *Annual Review of Political Science*, Vol.15, pp. 53-78.

Jones, C. (2015): Great powers, ASEAN, and security. Reason for optimism?, *The Pacific Review*, Vol. 28(2), pp. 259-80.

Jones, W. (2015): Theorising human rights. An analytical framework for ASEAN, *Journal of Alternative Perspectives in the Social Science*, Vol. 6(4), pp. 461-92.

Jones, D./Smith, M. (2001): The changing security agenda in Southeast Asia. Globalization, new terror, and the delusions of regionalism, *Studies in Conflict and Terrorism*, Vol.24, pp. 271–88.

Jones, D./Smith, M. (2002): ASEAN's Imitation Community, *ORBIS,* Vol. 46(1), pp. 93-109.

Jones, D./Smith, M. (2007): Making Process, Not Progress. ASEAN and the Evolving East Asian Regional Order*, International Security*, Vol. 32(1), pp. 148-184.

Jones/Khoo/Smith (2013): Asian Security and the Rise of China. International Relations in an age of volatility, Edward Elgar, Cheltenham.

Jones, L. (2009): ASEAN and the Norm of Non-Interference in Southeast Asia: A Quest for Social Order, Nuffield College Politics Group Working Paper March 2009.

Jones, L. (2012): ASEAN, sovereignty and intervention in Southeast Asia, Palgrave, New York.

Jorgensen-Dahl, A. (1982): Regional Organization and Order in South-East Asia, Macmillan, London.

Jupille, J./Caporaso, J. (1998): States, Agency, and Rules. The European Union in Global Environmental Politics, in: Rhodes, C. (ed.): The European Union in the World Community, Westview Press, Boulder.

Kang, D. (2003): Getting Asia Wrong. The Need for New Analytical Frameworks, *International Secur*ity, Vol. 27(4), pp. 57-85.

Kang, D. (2003/04): Hierarchy, Balancing, and Empirical Puzzles in Asian International Relations*, International Security*, Vol. 28(3), pp. 165-180.

Kang, D. (2005): Why China's Rise Will Be Peaceful: Hierarchy and Stability in the East Asian Region, *Perspectives on Politics*, Vol. 3(3), pp. 551-54.

Kang, D. (2007): China Rising. Peace, Power, and Order in East Asia, Columbia University Press, New York.

Kaplan, R. (2010): The Geography of Chinese Power. How far can Beijing reach on Land and Sea?, *Foreign Affairs*, May/June.

Kaplan, R. (2014): Asia's Cauldron. The South China Sea and the end of a stable Pacific, Random House, New York.

Kassim, Y. (2012): Plight of the Rohingya. ASEAN Credibility Again at Stake, RSIS Commentaries, No. 207/2012, 6 November, Singapore.

Katsumata, H. (2006): Establishment of the ASEAN Regional Forum. Constructing a 'talking shop' or a 'norm brewery'?, *The Pacific Review*, Vol. 19(2), pp. 181-98.

Katsumata, H. (2009): ASEAN's Cooperative Security Enterprise. Norms and Interests in the ASEAN Regional Forum, Palgrave Macmillan, Basingstoke.

Katzenstein, P. (1996): Introduction. Alternative Perspectives on National Security, in: Katzenstein, P. (ed.): The Culture of National Security. Norms and Identity in World Politics, Columbia University Press, New York.

Katzenstein, P. (2000): Regionalism and Asia, *New Political Economy*, Vol. 5(3), pp. 353-68.

Katzenstein, P. (2005): A World of Regions. Asia and Europe in the American Imperium, Cornell University Press, NY.

Kawasaki, T. (2006): Neither skepticism nor romanticism. The ASEAN Regional Forum as a solution for the Asia-Pacific Assurance Game, *The Pacific Review*, Vol. 19(2), pp. 219-37.

Kegley, C./Raymond, G. (1992): Must We Fear a Post-Cold War Multipolar System?, *The Journal of Conflict Resolution*, Vol. 36(3), pp. 573-585.

Keohane, R. (1984/2005): After Hegemony, Cooperation and Discord in the World Political Economy, Princeton University Press.

Keohane, R./Nye, J (1997): Interdependence in World Politics, in: Crane, G/Amawi, A. (eds.): The Theoretical evolution of international political economy. A reader, Oxford University Press.

Keohane, R./Nye, J. (2001): Power and Interdependence: World Politics in Transition, 3rd ed., Longman, New York.

Keohane, R. (2002): Power and Governance in a Partially Globalized World, London, Routledge.

Khong, Y. (2004): Coping with Strategic Uncertainty. The Role of Institutions and Soft Balancing in Southeast Asia's Post- Cold War Strategy, in: Suh/Katzenstein/Carlson (eds.): Rethinking Security in East Asia: Identity, Power, and Efficiency, Stanford University Press, pp. 172–208.

Khong, Y. (2005): The elusiveness of regional order. Leifer, the English school and Southeast Asia, *The Pacific Review*, Vol. 18(1), pp. 23-41.

Khoo, N. (2004): Deconstructing the ASEAN security community: A review essay, *International Relations of the Asia-Pacific*, Vol. 4, pp. 35–46.

Khoo, N./Smith, M. (2005): China Engages Asia? Caveat Lector, Correspondence with David Shambaugh, *International Security*, Vol. 30(1), pp. 196 – 213.

Khoo, N. (2011): Fear Factor: Northeast Asian Responses to China's Rise, *Asian Security*, Vol. 7(2), pp. 95–118.

Khoo, N./Smith, M. (2011): What The WikiLeaks Documents Tell Us About Asian Security, *Yale Journal of International Affairs*, Spring-Summer 2011, pp. 133 – 36.

Khoo, N. (2015): The ASEAN Security Community. A Misplaced Consensus, *Journal of Asian Security and International Affairs*, Vol. 2(2), pp. 180 – 99.

Kittichaisaree, K. (1988): Regional cooperation on the law of the sea. ASEAN and the EC perspective. Proceedings of the International Symposium 23-25 November, Thailand.

Kivimaki, T. (2001): The long peace of ASEAN, *Journal of Peace Research* Vol. 38(1), pp. 5–25.

Kivimaki, T. (2011): East Asian relative peace and the ASEAN Way, *International Relations of the Asia-Pacific*, Vol. 11(1), pp. 57-85.

Kivimaki, T. (2012): Sovereignty, hegemony, and peace in Western Europe and East Asia, *International Relations of the Asia-Pacific*, Vol. 12, pp. 419-47.

Kivimaki, T. (2012b): Southeast Asia and conflict prevention. Is ASEAN running out of steam?, *The Pacific Review*, Vol. 25(4), pp. 403-27

Kivimaki, T. (2014): The long peace of East Asia, Ashgate Publishing, Farnham.

Kleine-Ahlbrandt, S./Small, A. (2008): China's New Dictatorship Diplomacy. Is Beijing Parting with Pariahs?, *Foreign Affairs*, Vol. 87 (1), pp. 38-56.

Koga, K. (2014): Institutional transformation of ASEAN: ZOPFAN, TAC, and the Bali Concord I in 1968–1976, *The Pacific Review*, Vol. 27(5), pp. 729-53.

Koh, T. (2009): The negotiations process, in Koh/Manalo/Woon (eds.): The making of the ASEAN Charter, WS Publishing, Singapore.

Koh/Manalo/Woon (2009): The making of the ASEAN Charter, WS Publishing, Singapore.

Krause, K. (1998): Critical Theory and Security Studies, *Cooperation and Conflict*, Vol.33(3), pp.298-333.

Kraft, H. (2012): Driving East Asian Regionalism. The Reconstruction of ASEAN Identity, in Emmers, R. (ed.): ASEAN and the Institutionalisation of East Asia, London, Routledge.

Krasner, S. (ed.) (1983): International Regimes, Cornell University Press,

Krugman, P. (2000): Can America stay on top? *The Journal of Economic Perspectives*, Vol. 14(1), pp. 169-175.

Kupchan, C. (2010): How Enemies Become Friends. The Sources of a Stable Peace, Princeton University Press.

Kupchan, C. (2011): Enmity into Amity. How peace breaks out, *Friedrich Ebert Stiftung, International Policy Analysis*.

Kuppuswamy, C.S. (2007): South East Asia. US Interests, Influence and Involvement, *South Asia Analysis Group*, Paper no. 2188.

Kurlantzick, J. (2007): Charm Offensive. How China's Soft Power is Transforming the World, Yale University Press, New Haven.

Lake, D. (2003): The New Sovereignty in International Relations, *International Studies Review*, Vol.5, pp. 303-323.

Lake, D. (2006): American Hegemony and the Future of East-West Relations, *International Studies Perspective*, Vol. 7(1): pp. 23-30.

Laksmana, E. (2011): Indonesia's Rising Regional and Global Profile. Does Size Matter, *Contemporary Southeast Asia*, Vol.33(2), pp. 157-82.

Laksmana, E. (2011a): The enduring strategic trinity. Explaining Indonesia's geopolitical architecture, *Journal of the Indian Ocean Region*, Vol. 7(1), pp. 95-116.

Laksmana, E. (2014): Indonesia's strategic thinking. Breaking out of its shell?, in: CSCAP: Regional Security Outlook 2015, Canberra.

Lampton, D. (2005): China's Rise in Asia Need Not Be at America's Expense, in: Shambaugh, D. (ed.): Power Shift. China and Asia's New Dynamics, University of California Press, Berkley.

Lampton, D. (2007): The Face of Chinese Power, *Foreign Affairs*, Vol. 86(1), pp. 115-127.

Lampton, D. (2008): The Three Faces of Chinese Power. Might, Money, and Minds, University of California Press, Berkley.

Lanteigne, M. (2005): China's Engagement with International Institutions. Alternate Paths to Global Power, Routledge, New York.

Layne, C. (2008): China's Challenge to US Hegemony, *Current History*, Vol. 107(705), pp. 13-18.

Lee, K.Y. (2011): From Third World to First, Harper Collins Business Edition, NY.

Leffler, M. (2004): National Security, in: Hogan/Paterson (eds.): Explaining the History of American Foreign Relations, 2nd ed., Cambridge University Press.

Leifer, M. (1973): The Asean states. No common outlook, *International Affairs,* Vol. 49(4), pp. 600–7.

Leifer, M. (1983): Indonesia's Foreign Policy, George Allen and Unwin, London.

Leifer, M. (1989): ASEAN and the Security of Southeast Asia, Routledge, London.

Leifer, M. (1992): Debating Asian security. Michael Leifer responds to Geoffrey Wiseman,*The Pacific Review* Vol. 5(2), pp. 167–9.

Leifer, M. (1996): The ASEAN Regional Forum*,* Adelphi Paper No. 302, Oxford University Press.

Leifer, M. (1999): The ASEAN peace process: A category mistake, *The Pacific Review,* Vol. 12(1), pp. 25–38.

Leifer, M. (2001): Review of Amitav Acharya, The Quest for Identity: International Relations of Southeast Asia, *The Pacific Review,* Vol. 14(3), pp. 484–6.

Leifer, M. (2005): The truth about the balance of power, in: Chin Kin Wah/ Suryadinata (eds.): Selected Works on Southeast Asia, ISEAS, Singapore.

Leifer, M. (2005b): ASEAN's search for regional order, in: Chin Kin Wah/ Suryadinata (eds.): Selected Works on Southeast Asia, ISEAS, Singapore.

Leifer, M. (2005c): The merits of multilateralism, in: Chin Kin Wah/ Suryadinata (eds.): Selected Works on Southeast Asia, ISEAS, Singapore.

Leonard, M. (2008): What does China Think?, Harper Collins, London.

Li, J. (2014): Managing tensions in the South China Sea. Comparing the China-Philippines and the China-Vietnam Approaches, RSIS Working Paper No. 273, Singapore.

Lim, D./Cooper, J. (2015): Reassessing hedging. The logic of alignment in East Asia, *Security Studies*, Vol. 24(4), pp. 696-727.

Lin, Chong-Pin (2015): Behind a rising East Asian maritime tensions with China, Asian Survey, Vol. 55(3), pp. 478-501.

Liow, J. (2015): The South China Sea Disputes. Some Blindspots and Misperceptions, *The ASAN Forum*, July 31, available: www.theasanforum.org/the-south-china-sea-disputes-some-blindspots-and-misperceptions, accessed: 05/11/2015.

Lippmann, W. (1943): U.S. Foreign Policy: Shield of the Republic, Little, Brown and Co, Boston.

Livingstone, D. (2006): The Spratly Islands. A Regional Perspective, *Journal of the Washington Institute of China Studies*, Vol. 1(2), available: http://www.bpastudies.org/bpastudies/article/view/7/16, accessed: 10/01/15.

Locklear, S. Admrl., Commander of the US Pacific Command (2013): Resilience and the Asia-Pacific Rebalance, speech at the United States–Indonesia Society, Jakarta, February 8, available: http://www.usindo.org/wp-content/uploads/2013/03/Brief_Locklear_2.8.13_final2.pdf, accessed 28/08/15.

Makinda, S. (1998): Sovereignty and Global Security, *Security Dialogue*, Vol. 29(3), pp. 281-92.

March, J./Olsen, J. (1998): The Institutional Dynamics of International Political Orders, *International Organization*, Vol. 52(4), pp. 943 – 69.

McCarthy, S. (2008): Burma and ASEAN. Estranged Bedfellows, *Asian Survey*, Vol. 48(6), pp. 911-35.

McMillan, D./Chavis, D. (1986): A sense of community. A definition and theory, *Journal of Community Psychology*, Vol. 14(1), pp. 6-23.

Mearsheimer, J. (1995): The false promise of international institutions, *International Security,* Vol. 19(3), pp. 5–49.

Mearsheimer, J. (2001): The Tragedy of Great Power Politics, W. W. Norton, New York.

Mearsheimer, J. (2006): China's Unpeaceful Rise, Current History, Vol. 105(690), April.

Mearsheimer, J./Walt, S. (2013): Leaving theory behind. Why simplistic hypothesis testing is bad for international relations, *European Journal of International Relations,* Vol. 19(3), pp. 427–45.

Medeiros, E./Fravel, R.T. (2003): China's New Diplomacy, *Foreign Affairs*, Vol. 82(6), pp. 22-35.

Mialucha, C./Amador, J. (2016): U.S. Philippines security ties. Building new foundations?, *Asian Politics&Policy*, Vol. 8(1), pp. 51-61.

Montaperto, R. (2004): Find New Friends, Reward Old Ones, but Keep All in Line, *Comparative Connections*, Vol. 6(3), pp. 77-86.

Morganthau, H. (1973): Politics among Nations, 5th ed., Knopf, New York.

Muhibat, S. (2016): Indonesia-U.S. security collaboration. Still under the radar?, *Asian Politics&Policy*, Vol. 8(1), pp. 137-54.

Nabers, D. (2003): The Social Construction of International Relations. The case of ASEAN + 3, *International Relations of the Asia-Pacific,* Vol. 1(1), pp. 113–36.

Narine, S. (2002): Explaining ASEAN. Regionalism in Southeast Asia, Lynne Rienner, London.

Narine, S. (2009): The English School and ASEAN, in: Acharya/Subbs (eds.): Theorizing Southeast Asian Relations. Emerging Debates, Routledge, Oxon.

Narushige, M. (2013): Another Cold War in Asia? *ASAN Forum*, Vol. 2(6).

Nguyen Hong Thao (2005): Maritime Delimitation and Fishery Cooperation in the Tonkin Gulf, *Ocean Development and International Law*, Vol. 34(1), pp. 25–44.

Nguyen Trung Thanh (2009): The making of the ASEAN Charter in my fresh memories, in Koh/Manalo/Woon (eds.): The making of the ASEAN Charter, WS Publishing, Singapore.

Nguyen, Vu T. (2007): Vietnam's Membership of ASEAN. Constructivist Interpretation, *Contemporary Southeast Asia*, Vol. 29(3), pp. 483-505.

Nischalke, T.: The ASEAN Way, A Real Spirit or a Phantom? *Contemporary Southeast Asia,* Vol. 22(1).

Nye, J. (1968): Comparative Regional Integration: Concept and Measurement, *International Organization,* Vol. 22(4), pp. 855–80.

Nye, J. (ed.) (1968): International Regionalism, Little Brown&Co, Boston.

Oba, M. (2014): ASEAN and the creation of a regional community, *Asia-Pacific Review*, Vol. 21(1), pp. 63-78.

Oh, Su-Ann (2012): Ronhingya or Bengali? Revisiting the politics of labelling, ISEAS Perspectives 10 December.

Onuf, N. (1989): World of Our Making. Rules and Rule in Social Theory and International Relations, University of South Carolina Press.

Palmer, G./Morgan, T. C. (2007): Power Transition. The Two-Good Theory and Neo-realism. A Comparison with Comments on Recent U.S. Foreign Policy, *International Interactions*, Vol. 33(3), pp. 329-46.

Pape, R. (2005): Soft Balancing against the United States, *International Security*, Vol. 30(1), pp. 7-45.

Parameswaran, P. (2014): Explaining US Strategic Partnerships in the Asia-Pacific Region. Origins, Developments and Prospects, *Contemporary Southeast Asia*, Vol. 36(2), pp. 262-89.

Paris, R. (2001): Human Security. Paradigm shift or hot air?, *International Security,* Vol. 26(2), pp. 87–102.

Pawakapan, P. (2013): State and uncivil society in Thailand at the Temple of Preah Vihear, ISEAS Publishing, Singapore.

Pawakapan, P. (2013b): Can the ICJ ruling end the dispute between Thailand and Cambodia?, ISEAS Perspectives, Vol. 53, ISEAS, Singapore.

Peou, S. (2002): Realism and constructivism in Southeast Asian security studies today. A review essay, *The Pacific Review*, Vol. 15(1), pp. 119-38.

Peou, S. (2005): Merit in security community studies, *International Relations of the Asia-Pacific,* Vol. 5 (2), pp. 267–74.

Peou, S. (2014): The limits and potential of liberal democratization in Southeast Asia, *Journal of Current Southeast Asian Affairs*, Vol. 33(3).

Poling, G. (2013): The South China Sea in focus. Clarifying the limits of maritime dispute, CSIS, Rowman&Littlefield, NY.

Pollack, J. (2005): The Transformation of the Asian Security Order: Assessing China's Impact, in: Shambaugh, D. (ed.): Power Shift. China and Asia's New Dynamics, University of California Press, Berkley.

Poole, A. (2015): The World is Outraged. Legitimacy in in the Making of the ASEAN Human Rights Body, Contemporary Southeast Asia, Vol. 37(3), pp. 355-80.

Radtke, K. (2014): ASEAN Enlargement and Norm Change. A Window of Opportunity for Democracy and Human Rights Entrepreneurs?, *Journal of Current Southeast Asian Affairs*, Vol. 33(3), pp. 79–105.

Rattanasevee, P. (2014): Towards institutionalised regionalism. The role of institutions and prospects for institutionalisation in ASEAN, *SpringerOpenJournal*, 3:556.

Ravenhill, J. (2006): Regionalism and State Capacity in East Asia, in: Marsh, I. (ed.): Democratisation, Governance and Regionalism in East and Southeast Asia, Routledge, London, pp. 177-203.

Raymond, G. (2014): Thai-Cambodia relations one year after the ICJ judgement, East Asia Forum, Australian National University, Canberra.

Rigby/Taylor (2015): Whose Shared Destiny?, in Barmé/Goldkorn/Jaivin (eds.): Shared Destiny, Australian Centre on China in the World, ANU Press.

Rogers, W. (2012): The Role of Natural Resources in the South China Sea, in: Cronin, P. (2012): Cooperation from Strength. The U.S., China and the South China Sea, Centre for a New American Security, Washington.

Ruggie, J. (1998): What Makes the World Hang Together? Neoutilitarianism and the Social Constructivist Challenge, *International Organization* Vol. 52(4), pp. 855–85.

Rueland, J. (2000): ASEAN and the Asian crisis. Theoretical implications and practical consequences for Southeast Asian regionalism, *The Pacific Review* 13(3), pp. 421–51.

Rueland, J. (2014): The limits of democratizing interest representation. ASEAN's regional corporatism and normative challenges, *European Journal of International Relations*, Vol. 20(1), pp. 237–61.

Satake, T. (2016): The new defense guidelines for Japan-U.S. defense cooperation and an expanding Japanese security role, *Asian Politics&Policy*, Vol. 8(1), pp. 27-38.

Scobell, A./Harold, S. (2013): An "Assertive" China? Insights from Interviews, *Asian Security*, Vol.9(2), pp. 111-31.

Sen, A. (1997): Human Rights and Asian Values, Carnegie Council on Ethics and International Affairs, New York.

Severino, R. (2001): The ASEAN Way and the Rule of Law, Address at the International Law Conference on ASEAN Legal Systems and Regional Integration, University of Malaya, Kuala Lumpur, 3 September.

Severino, R. (2006): Southeast Asia in search of an ASEAN community. Insights from the former ASEAN Secretary General, ISEAS, Singapore.

Severino, R. (2007): A Sense of Community for Southeast Asia, in: Katsumata, H. See Seng Tan (eds.): People's ASEAN and Governments, RSIS Monograph No. 11, RSIS, Singapore.

Severino, R. (2009): The ASEAN Regional Forum, Institute of Southeast Asian Studies, Singapore.

Shambaugh, D. (2002): European and American Approaches to China: Different Beds, Same Dreams?, Sigur Centre Asia Papers, No. 15, Washington D.C.

Shambaugh, D. (2005): Return to the Middle Kingdom? China and Asia in the Early 21st Century, in: Shambaugh, D. (ed.): Power Shift. China and Asia's New Dynamics, University of California Press, Berkley.

Shambaugh, D. (2005b): China Engages Asia. Reshaping the Regional Order, *International Security*, Vol. 29(3), pp. 22-35.

Shambaugh, D. (2005c): The New Strategic Triangle: US and European Reactions to China's Rise, *Washington Quarterly*, Summer 2005.

Shambaugh, D. (2005d): The Rise of China and Asia's New Dynamics, in: Shambaugh, D. (ed.): Power Shift. China and Asia's New Dynamics, University of California Press, Berkley.

Shambaugh, D. (2008): International Relations in Asia. The Two Level Game, in: Shambaugh, D./Yahuda, M. (eds.): International Relations of Asia, Rowman & Littlefield, Lanham, Maryland.

Shaw/Grant/Cornelissen (2011): Introduction and Overview. The Study of New Regionalism(s) at the Start of the Second Decade of the Twenty-First Century, in: Shaw/Grant/Cornelissen (eds.): The Ashgate Research Companion to Regionalism, Ashagte, Farnham.

Sheng-ti Gau, M. (2014): Issues of jurisdiction in the cases of default of appearance, in: Talmon/Jia (eds.): The South China Sea Arbitration. A Chinese Perspective, Hart Publishing, Portland.

Shiping T./Li M./Acharya, A. (eds.) (2009): Living with China. Regional states and China through crises and turning points, Palgrave Macmillan, Basingstoke.

Simon, S. (2007): ASEAN and Its Security Offspring: Facing New Challenges, Strategic Studies Institute, Carlisle.

Simon, S. (2008): ASEAN and the New Regional Multilateralism: The Long and Bumpy Road to Community, in: Shambaugh, D./Yahuda, M. (eds.): International Relations of Asia, Rowman & Littlefield, Lanham, Maryland.

Simon (2010): Evaluating track 2 approaches to security dialogue in the Asia-Pacific region. The CSCAP experience, in: Ball/Kwa Chong Guan (eds.): Assessing track 2 diplomacy in the Asia-Pacific region. A CSCAP Reader, RSIS, Singapore.

Simon, S. (2015): The US Rebalance and Southeast Asia. A Work in Progress, *Asian Survey*, Vol.55(3), pp. 572-95.

Singhaputargun, N. (2016): The Thailand-Cambodia Preah Vihear Temple Dispute. Its Past, Present, and Future, in: Oishi, M. (ed.) Contemporary conflicts in Southeast Asia. Towards a new ASEAN Way of conflict management, Springer, Singapore.

Sjoestedt, G. (1977): The External Role of the European Community, Saxon House, Farnborough.

Smith, A. (2004): ASEAN's Ninth Summit. Solidifying Regional Cohesion, Advancing External Linkage, *Contemporary Southeast Asia*, Vol.26(3), pp. 416-33.

Solidum, E. (1991): The Small State: Security and World Peace, Kalikasan, Manila.

Solidum, E. (2003): The Politics of ASEAN. An Introduction to Southeast Asian Regionalism, Eastern Universities Press, Singapore.

Sokbunthoeun S. (2009): The Cambodia-Thailand Conflict. A test for ASEAN, Asia Pacific Bulletin No. 44, East-West Center, Washington DC.

Strate, S. (2013): A pile of stones? Preah Vihear as a Thai symbol of National Humiliation, *South East Asia Research*, Vol. 21(1), pp. 41-68.

Strate, S. (2015): The lost territories. Thailand's history of national humiliation, University of Hawaii Press, Honolulu.

Stone, D. (2011): The ASEAN-ISIS Network. I*nterpretive communities, informal diplomacy and discourses of region, Minerva*, Vol.49(2), pp. 241-62.

Stone, D. (2013): Knowledge Actors and Transnational Governance. The Private-Public Nexus in the Global Agora, Palgrave Macmillan, Basingstoke.

Storey, I. (2011): Southeast Asia and the Rise of China. The Search for Security, Routledge, Oxon.

Storey, I. (2012): From Strength to Strength. Military Exercises Bolster Sino-Thai Relations, *China Brief* XII, Issue 12.

Storey, I. (2012b): China Bilateral Defense Diplomacy in Southeast Asia, *Asian Security,* Vol. 8(3), pp. 287-310.

Storey, I. (2012c): China's bilateral and multilateral diplomacy in the South China Sea, in: Cronin (ed.): Cooperation from strength. The U.S., China and the South China Sea, Centre for New American Security, Washington D.C.

Storey, I. (2015): Thailand's post-coup relations with China and America. More Beijing, less Washington, Trends in Southeast Asia, No. 20., ISEAS, Singapore.

Storey, I. (2015b): China terraforming in the Spratlys. A game changer in the South China Sea?, ISEAS Perspectives, ISEAS, Singapore.

Storey, I. (2015c): ASEAN's failing grade in the South China Sea, *The ASAN Forum*, Vol. 4(6).

Sukma, R. (2003): The future of ASEAN. Towards a security community, Seminar paper presented at Challenges and Prospects in the Current International Situation, New York, 3 June, available: www.indonesiamission-ny.org/issuebaru/mission/asean/paper rizalsukma.pdf, accessed: 01/07/2015.

Sukma, R. (2009): A post-ASEAN foreign policy for a post-G8 world, *The Jakarta Post*, 5 October, available: www.thejakartapost.com/news/2009/10/05/a-postasean-foreign-policy-a-postg8-world.html, accessed 3/09/2015.

Sukma, R. (2009b): Political Development. A Democracy Agenda for ASEAN, in: Emmerson, D. (ed.): Hard Choices. Security, Democracy, and Regionalism in Southeast Asia, ISEAS, Singapore.

Sukma, R. (2010): The accidental driver. ASEAN in the ASEAN Regional Forum, in: Haacke, J./ Morada, N. (eds.): Cooperative Security in the Asia-Pacific. The ASEAN Regional Forum, Routledge, Oxon.

Sukma, R. (2012): Without Unity, No Centrality, *The Jakarta Post*, 17 July, available: www.thejakartapost.com/news/2012/07/17/insight-without-unity-no-centrality.html, accessed: 3/09/2015.

Sukma, R. (2014): ASEAN Beyond 2015. The Imperatives for Further Institutional Changes, ERIA Discussion Paper Series, Economic Research Institute for ASEAN and East Asia, Jakarta.

Sukma/Muhibat/Alexandra/Intan (2015): The future of the seas in East Asia. Toward a comprehensive maritime cooperation, in: The future of the seas in East Asia. Forging a common maritime future for ASEAN and Japan, CSIS, Jakarta.

Sumalia, R./Cheung W. (2015): Boom or Bust. The Future of Fish in the South China Sea, University of British Columbia.

Sutter, R. (2005): China's Regional Strategy and Why it May Not Be Good for America, in: Shambaugh, D. (ed.): Power Shift. China and Asia's New Dynamics, University of California Press, Berkley.

Swaine, M. (2005): China's Regional Military Posture, in: Shambaugh, D. (ed.): Power Shift. China and Asia's New Dynamics, pp. 266-85, University of California Press, Berkley.

Tan, A. (2000): Intra-ASEAN tensions, Royal Institute of International Affairs, London.

Tan, A. (2014): The arms race in Asia. Trends, causes and implications, Routledge, Oxon.

Tan, S. (2012): Talking their walk? The evolution of defense regionalism in Southeast Asia, *Asian Security*, Vol. 8(3), pp. 232-50.

Tan, S. (2016): America the indispensible power. Singapore's perspective of America as a security partner, *Asian Politics&Policy*, Vol. 8(1), pp. 119-35.

Tan, S./Emmers, R. (2010): Security Architecture and Institutionalism in the Asia Pacific, in: Ball, D. Kwa Chong Guan (eds.): Assessing Track 2 Diplomacy in the Asia-Pacific Region, RSIS, Singapore.

Tan Sri Ahamad Fuzi (2009): Facing unfair criticism, in Koh/Manalo/Woon (eds.): The making of the ASEAN Charter, WS Publishing, Singapore.

Tang Siew Mun (2015): US FONOPS and ASEAN, *ASEAN Focus*, Issue 3, ISEAS, Singapore.

Tang Siew Mun (2016): The ASEAN chairmanship. Duties, obligations and challenges, *The Newsletter*, IIAS, Leiden.

Termsak Ch. (2013): ASEAN Defence Diplomacy and the ADMM-Plus, ISEAS Perspective, Vol. 49, 26 August, ISEAS, Singapore.

Than, T./Thuzar, M. (2012): Myanmar's Rohingya Dilemma, ISEAS Perspectives, 9 July.

Thayer, C. (2009): Cambodia. The Cambodian People's Party Consolidates Power, in: Singh (ed.) Southeast Asian Affairs, ISEAS, Singapore.

Thayer, C. (2011): China's New Wave of Aggressive Assertiveness in the South China Sea, Paper to Conference on Maritime Security in the South China Sea, CSIS, Washington DC.

Thayer, C. (2011b): Chinese Assertiveness in the South China Sea and Southeast Asian Responses, Journal of Current Southeast Asian Affairs, Vol. 2, pp. 77-104.

Thayer, C. (2012): ASEAN'S Code of Conduct in the South China Sea. A Litmus Test for Community-Building?, *The Asia-Pacific Journal*, Vol. 10(34).

Thayer, C. (2013): New commitment to a Code of Conduct in the South China Sea?, National Bureau of Asian Research, Commentary, 9 October.

Thuzar, M. (2014): Thinking and feeling ASEAN. The challenges of integration and identity, in Kikuchi, Y./Popovski, V. (eds.) Building ASEAN identity on a transnational dimension, UN University Press, Tokyo.

Thuzar, M. (2015): ASEAN Regional Institutions. Remaining relevant amidst external power rivalries, *E-International Relations*, 11 October.

Thuzar, M. (2015b): Media and the Migrant Crisis. A call to action?, *Asian Politics and Policy*, Vol. 7(4), pp. 659-80.

Till, G. (2013): Seapower. A guide for the twenty-first century, 3rd. ed., Routledge, London.

Toennies, F. (2001): Community and Civil Society, edited by Harris, J., Cambridge University Press.

Tow, W. (2015): The United States and Asia in 2014. Reconciling Rebalancing and Strategic Constraints, *Asian Survey*, Vol. 55(1), pp. 12-20.

Tow, W./Limaye, S. (2016): What's China got to do with it? U.S. alliances, partnerships in the Asia-Pacific, *Asian Politics&Policy*, Vol. 8(1), pp. 7-26.

van der Kroef, J. (1981): ASEAN, Hanoi, and the Kampuchean Conflict. Between "Kuantan" and a "Third Alternative", *Asian Survey,* Vol. 21(5), pp. 515-35.

Wacker, G. (2015): The Irreversible Rise. A New Foreign Policy for a stronger China, in: Amighini/Berkofsky (eds.): Xi's Policy Gambles. The Bumpy Road Ahead, ISPI, Milan.

Wagener, M. (2011): Lessons from Preah Vihear. Thailand, Cambodia, and the Nature of Low-Intensity Border Conflicts, *Journal of Current Southeast Asian Affairs*, Vol.30(3), pp. 27-59.

Walt, S. (1987): The Origins of Alliances, Cornell University Press, London.

Waltz, K. (1979): Theory of international Politics, McGraw Hill, Boston.

Waltz, K. (1993): The Emerging Structure of International Politics*, International Security*, Vol. 18 (2), pp. 44-79.

Waltz, K. (2000): Structural Realism after the Cold War*, International Security*, Vol. 25 (1), pp. 5-41.

Wang, F. (2005): Preservation, Prosperity and Power: What Motivates Chinese Foreign Policy?, *Journal of Contemporary China*, Vol. 14(45), pp. 669-694.

Wang G. (2005): China and Southeast Asia: The Context of a New Beginning, in: Shambaugh, D. (ed.): Power Shift. China and Asia's New Dynamics, University of California Press, Berkley.

Wang, Z. (2015): Chinese discourse on the "nine-dashed line", *Asian Survey,* Vol. 55(3), pp. 502-24.

Ward, A. (2005): China, America and Southeast Asia, IISS Strategic Comments, Vol. 11(1), pp. 1-2.

Weatherbee, D. (2005): International Relations in Southeast Asia. The Struggle for Autonomy, Rowman&Litlefield, Oxford.

Weatherbee, D. (2016): Re-Assessing Indonesia's role in the South China Sea, *ISEAS Perspective*, No. 18, Singapore.

Wendt, A. (1992): Anarchy is what States Make of it: The Social Construction of Power Politics, *International Organization*, Vol. 46(2), pp. 391-425.

Wendt, A. (1995): Constructing International Politics, *International Security*, Vol. 20(1), pp. 71-81.

White, H. (2008): Why War in Asia Remains Thinkable, *Survival*, Vol. 50(6), pp. 85-104.

White, H. (2010): Power Shift. Australia's future between Washington and Beijing, *Quarterly Essay*, Nr. 39.

White, H. (2013): The China Choice. Why America should share power, Collingwood.

White, C. (2006): Agents, Structures and International Relations. Politics as Ontology, Cambridge University Press.

Widyaningsih, E./Roberts, C. (2014): Indonesia in ASEAN. Mediation, leadership, and extra-mural diplomacy, NSC Issue Brief No. 13,

Womack, B. (2003/4): China and Southeast Asia. Asymmetry, Leadership and Normalcy, *Pacific Affairs*, Vol. 76(4), pp. 529-548.

Wong, J. (1984): The Political Economy of China's Changing Relations with Southeast Asia, Macmillan, London.

Woon, W. (2009): The ASEAN Charter dispute settlement mechanisms, ASEAN Law Association, Workshop Paper at the 10th General Assembly, available:

http://www.aseanlawassociation.org/workshop-tenthGA.html, accessed: 23.09.2015.

Wunderlich, U. (2007): Regionalism, Globalization and International Order. Europe and Southeast Asia, Ashgate, Aldershot.

Wurfel, D. (1999): Between China and ASEAN. The Dialectics of Recent Vietnamese Foreign Policy, in: Thayer/Amer (eds.): Vietnamese Foreign Policy in Transition, ISEAS, Singapore.

Yahuda, M. (1978): China's Role in World Affairs, Croom Helm, London.

Yahuda, M. (1983): China's Foreign Policy after Mao, Macmillan, London.

Yahuda, M. (2004): The International Politics of the Asia-Pacific, 2nd ed., Routledge, London.

Yahuda, M. (2005): The Evolving Asian Order: The Accommodation of Rising Chinese Power, in: Shambaugh, D. (ed.): Power Shift. China and Asia's New Dynamics, University of California Press, Berkley.

Yahuda, M. (2013): China's new assertiveness in the South China Sea, *Journal of Contemporary China*, Vol. 22(81), pp. 446-59.

Yoshihara, T./Holmes, J. (2011): Can China defend a "core interest" in the South China Sea?, *The Washington Quarterly*, Vol. 34(2), pp. 45-59.

Yung C./McNulty, P. (2015): An empirical analysis of claimant tactics in the South China Sea, INSS, National Defense University, Washington DC.

Yuzawa, T. (2007): Japan's Security Policy and the ASEAN Regional Forum. The search for multilateral security in the Asia-Pacific, Routledge, London.

Yuzawa, T. (2012): The fallacy of socialization? Rethinking the ASEAN way of institution building, in Emmers, R. (ed.): ASEAN and the Institutionalisation of East Asia, London, Routledge.

Zhang, J. (2015): China's new foreign policy under Xi Jinping. Towards 'Peaceful Rise 2.0'?, *Global Change, Peace & Security*, Vol. 27(1), pp. 5-19.

Zhang, X. (2010): Can Myanmar be changed by ASEAN?, in Chenyang/Hofmeister (eds.) Myanmar. Prospect for change, Konrad-Adenauer-Stiftung, Singapore.

Zhang, Y./Tang, S. (2005): China's Regional Strategy, in: Shambaugh, D. (ed.): Power Shift. China and Asia's New Dynamics, University of California Press, Berkley.

Zhao, Q. (2007): Managed Great Power Relations: Do we see 'One-Up and One-Down'?, *The Journal of Strategic Studies,* Vol. 30(4–5), pp. 609 – 637.

Zhao, Q./Liu, G. (2007): The Challenges of a Rising China, *The Journal of Strategic Studies*, Vol. 30(4–5), pp. 585 – 608.

Zheng, B. (2005): China's Peaceful rise to Great Power Status, *Foreign Affairs*, Vol. 84(5).

Zhou, F. (2016): The U.S. alliance system in Asia. A Chinese perspective, *Asian Politics&Policy*, Vol. 8(1), pp. 207-18.